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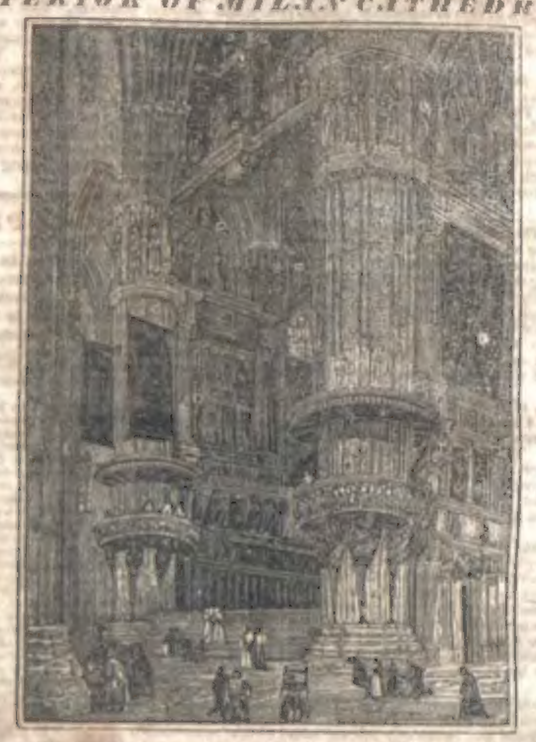
INTERIOR OF MILAN CATHEDRAL.



[For the Saturday Evening Post.]

TO

Thou gentle maid! no chilling pain
Or sickness wrings thy brow;
Thy cheek is fair, thy heart is free,
Thy children are safe at home or leave,
And all around thee blest.

Then tell me, can a stranger's sigh
Or earthly sorrow from within my heart,
Low murmur raise?

Yet, even while in fancy bold,
Where all shall smile for thee,
In pleasure's gay and joyous hour,
Will you remember me?

And when in future days that round those form,
In short'ned grace shall be,
Perhaps one kind remembering sigh,
Will you remember me?

C. H. W.

[For the Saturday Evening Post.]

THE VOICE OF SPRING.

[illegible]

LITERARY.

CASTLE DANGEROUS.

It were almost a work of supererogation in us, to attempt an expression of opinion, either appobatory or otherwise, in relation to any thing which emanates from the prolific brain of Sir Walter Scott. He has already afforded too much pleasure to the reading community, and his reputation is too well established in the literary world, by the splendor of his former productions, for our readers to be influenced by either our praise or censure, yet as little as our opinion may be regarded on the present occasion, we shall not hesitate to record it, reluctantly to be sure, as it would at all times afford us more pleasure to applaud than condemn, but on the present, we are forced to the disagreeable task of saying, that in Castle Dangerous, there is not the same absorbing interest, neither is it animated by the same glowing and picturesque descriptions, nor the same engaging and spirited narrations, which have characterised the former productions of the venerable author of Waverly. We consider it as inferior to any former work of Scott, and great as his name unquestionably is, the readers of the book, will lay it down with a feeling of regret and disappointment. We do not however mean to say, that *all* the readers of Castle Dangerous, will find no pleasure in its perusal, on the contrary, there is a large portion of the readers of novels, who will be delighted with the narration of chivalric events regarded in the book, and many who will be pleased with the incidents, and catastrophe, connected with those who figure in the story. We shall now dismiss this portion of our subject with an extract, which we think will entertain our readers. It is the story of Ursula, and her escape, (together with Lady Augusta who is the heroine of the tale,) from the convent of St. Bride.

THE STORY OF URSULA.

"My misfortunes commenced long before I was called sister Ursula, or secluded as a votaress within these walls. My father was a noble Norman, who, like many of his countryman, sought and found fortune at the court of the king of Scotland. He was endowed with the Sheriffdom of the county, and Mawrice de Hatfedy, or Hautlieu, was numbered among the wealthy and powerful barons of Scotland. Wherefore should I deny it, that the daughter of this baron, then called Margaret de Hatlieu, was also distinguished among the great and fair of the land? It can be no censurable vanity which provokes me to speak the truth, and unless I tell it myself, you could hardly suspect what a resemblance I once bore even to the lovely Lady Augusta of Berkely. About this time broke out those unfortunate feuds of Bruce and Balid, which have been so long the curse of this country. My father, determined in his choice of party by the arguments of his wealthy kinsmen at the court of Edward, embraced with passion the faction of the English interest, and became one of the keenest partisans at first of John Balsol, and afterwards of the English monarch. None among the Anglocised-Scottish, as his party was called, were so zealous as he for the red cross, and no one was more detested by his countrymen who followed the national standard of Saint Andrew and the Patriot Wallace.

Among those soldiers of the soil, Malcolm Fleming, of Biggar, was one of the most distinguished by his noble birth, his high acquirements, and his fame in chivalry. I saw him; and the ghastly spectre who now addresses you must not be ashamed to say, that she loved, and was beloved by, one of the handsomest youths in Scotland. Our attachment was discovered to my father *almost ere* we had owned it to each other, and he was furious both against my lover and myself: he placed *me* under the charge of a religious woman of this rule, and I was immured within the house of St. Bride, where my father shamed not to announce he would cause *me* to take the veil by force, unless I agreed to wed a youth bred at the English court, his nephew; and, as Heaven had granted him no son, the heir, as he had resolved, of the house of Hautlieu. I was not long in making my election. I protested that death should be my choice, rather than any other husband except Malcolm Fleming. Neither was my lover less faithful: he found means to communicate to me a particular night on which he proposed to attempt to storm the Nunnery of Saint Bride, and carry me from hence to freedom and the green wood, of which Wallace was generally called the king. In an evil hour—an hour, I think, of infatuation and witchery—I suffered the Abbess to wheedle the secret out of me, which I might have been sensible would appear more horridly flagitious to her than to any other woman that breathed; but I had not taken the vows, and I thought Wallace and Fleming had the same charms for every body as for me, and the artful woman gave me reason to believe that her loyalty to Bruce was without a flaw of suspicion, and she took part in a plot, of which my freedom was the object. The Abbess engaged to have the English guards removed to a distance, and in appearance the troops were withdrawn. Accordingly, in the middle of the night appointed, the window of my cell—which was two stories from the ground—was opened without noise; and never were my eyes more gladdened than, as ready disguised and arrayed for flight, even in a horseman's dress, like yourself, fairest Lady Augusta, I saw Malcolm Fleming spring into the apartment. He rushed towards me; but at the same time, my father with ten of his strongest men filled the room, and cried their war-cry of Baliol. Blows were instantly dealt on every side. A form like a giant, however, appeared in the midst of the tumult, and distinguished himself even to my half giddy eye, by the ease with which he bore down and dispersed those who fought against our freedom. My father alone offered an opposition which threatened to prove fatal to him: for Wallace, it was said, could foil any two martial champions that ever drew sword. Brushing from him the armed men as a lady would drive away with her fan a swarm of troublesome flies, he secured me in one arm, used his other for our mutual protection, and I found myself in the act of being borne in safety down the ladder, by which my deliverer had ascended from without: but an evil fate awaited this attempt. My father, whom the champion of Scotland had spared for my sake, or rather for Fleming's, gained by his victor's compassion and lenity, a fearful advantage, and made a remorseless use of it. Having only his left hand to oppose to the manful attempt of my father, even the strength of Wallace could not prevent the assailant, with all the energy of desperation, from throwing down the ladder, on which his daughter was perched like a dove in the grasp of an eagle. The champion saw our danger, and exerting his inimitable strength and agility, cleared himself and me from the ladder, and leaped free of the moat of the convent, into which we must otherwise have been precipitated. The champion of Scotland was saved in the desperate attempt; but I, who fell amongst a heap of stones and rubbish, I, the disobedient daughter, well nigh the apostate vestal, waked only from a long bed of sickness, to find myself the disfigured wretch, which you now see me. I then learned that Malcolm had escaped from the fray, and shortly after I heard, with feelings less keen, perhaps, than they ought to have been, that my father was slain in one of the endless battles which took place between the contending factions. If he had lived I might have submitted to the completion of my fate; but since he was no more, I felt that it would be a preferable lot to be a beggar in the streets of a Scottish village, than an Abbess in this miserable house of St. Bride; nor was even that poor object of ambition, on which my father used to expatiate, when desirous of persuading me to enter the monastic state, by milder means than throwing me off the battlements, long open to me. The old Abbess died of a cold caught the evening of the fray; and the place, which might have been kept open until I was capable of filling it, was disposed of otherwise, when the English thought fit to reform, as they termed it, the discipline of the house; and instead of electing a new Abbess, sent hither two or three friendly monks, who have now the absolute government of the community, and wield it entirely according to the pleasure of the English. But I, for *one, who have had the honor to be supported by* the arms of the Champion of my country, will not [illegible] rome. I will go forth; nor do I fear to find relations and friends who will provide a more fitting place of refuge for Margaret de Hautlieu than the convent of St. Brides you, too, dearest Lady, shall obtain your freedom, and it will be well to leave such information as will make Sir John de Walton aware of the devotion with which his happy fate has inspired you. "It is not, then, your own intention," said the Lady Augusta, "to return into the world again, and you are about to renounce the lover, in a union with whom you and he once saw your joint happiness?" "It is a question, my dearest child," said sister Ursula, "which I dare not ask myself, and to which I am absolutely uncertain what answer I should return. I have not taken the final and irrevocable vows; I have done nothing to alter my situation with regard to Malcolm Fleming. He also, by the vows plighted in the chancery of Heaven, is my affianced bridegroom, nor am I conscious that I *has* deserve his faith in any respect now, than at the moment when it was pledged to me; but I confess, dearest Lady, that rumours have reached me which sting me to the quick; the reports of my wounds and scars are said to have estranged the knight of my choice. I am now, indeed, poor," she added with a sigh, "and I am no longer possessed of those personal charms, which they say attract the love, and fix the fidelity of the other sex. I teach myself, therefore, to think, in my moments of settled resolution, that all betwixt me and Malcolm Fleming is at an end, saving good wishes on the part of both towards the other; and yet there is a sensation in my bosom which whispers, in spite of my reason, that if I absolutely believed that which I now say, there would be no object on earth worthy *my living for* in order to attain it. This insinuating prepossession whispers to my secret soul, and in very opposition to my reason and understanding, that Malcolm Fleming, who could pledge his all upon the service of his country, is incapable of nourishing the versatile affection of an ordinary, a coarse, or a venal character. Methinks, were the difference upon his part instead of mine, he would not lose his interest in my eyes, because he was scarred with honorable scars, obtained in asserting the freedom of his choice, but that such wounds, would, in my opinion, add to his merit, whatever they took away from his personal comeliness. Ideas rise in my soul, as if Malcolm and Margaret might yet be to each other all that their affections once anticipated with so much security, and that a change which took nothing from the honor and virtue of the beloved person, must rather add to, than diminish the charms of the union. Look at me, dearest Lady Augusta!—look at me—if you have courage—full in the face, and tell me whether I do not rave, when my fancy is thus converting mere possibilities into that which is natural and probable." The Lady of Berkely, conscious of the necessity, raised her eyes on the unfortunate nun, afraid of losing her own chance of deliverance by the mode in which she should conduct herself in this crisis; yet not willing at the same time to flatter the unfortunate Ursula, with suggesting ideas for which her own sense told her she could hardly find any rational grounds. But her imagination, stored with the minstrelsy of the time, brought back to her recollection the Lozthly Lady in "The marriage of Sir Gawan," and she conducted her answer in the following manner:—"You ask me, my dear Lady Margaret, a trying question, which it would be unfriendly to answer otherwise than sincerely, and most cruel to answer with too much rashness. It is true, that what is called beauty is the first quality on which we of the weaker sex learn to set a value; we are flattered by the imputation of personal charms, whether we actually possess them or not; and no doubt we learn to place upon them a great deal more consequence than in reality is found to belong to them. Women, however, even such as are held by their own sex, and perhaps in secret by themselves, as devoid of all pretensions to beauty, have been known to become from their understanding, their talents, or their accomplishments, the undoubted objects of the warmest attachment. Wherefore then should you in the mere rashness of your apprehension, deem it impossible that your Malcolm Fleming should be made of that porcelain clay of the earth, which despises the passing captivations of outward form, in comparison to the charms of true affection, and the excellence of talents and virtue?" The nun pressed her companion's hand to her bosom, and answered her with a deep sigh. "I fear," she said, "you flatter me, and yet in a crisis like us, it does one good to be flattered, even as cordials, otherwise dangerous to the constitution, are wisely given to support a patient through a paroxysm of agony, and enable him to endure at last what they cannot cure. Answer me only on question, and it will be time we drop this conversation. "Could you, sweet Lady, you upon whom nature has bestowed so many charms—could my argument make you patient under the irretrievable loss of your personal advantages, with the concomitant loss, as in any case is most probable, of that lover for whom you have already done so much?" The English Lady cast her eyes against her friend, and could not help shuddering a little at the thought of her own beautiful countenance being exchanged for the seamed and scarred features of the Lady of Hautlieu, irregularly lighted by the beams of a single eye. "Believe me," she said, looking solemnly upwards, "that even in the case which you suppose, I would not sorrow so much for myself, as I would for the poor-spirited thoughts of the lover who could leave me because those transitory charms (which must in any case ere long take their departure) had fled ere yet the bridal day. It is, however, concealed by the decrees of Providence, in what manner, or to what extent, other persons, with whose disposition we are not fully acquainted, may be affected by such changes. I can only assure you that my hopes go with yours, and that there is no difficulty which shall remain in your path in future, if it is in my power to remove it.—Hark!" "It is the signal of our freedom," replied Ursula, giving attention to something resembling the wissp of the night owl. "We must prepare to leave the convent in a few minutes. Have you any thing to take with you?" "Nothing," answered the Lady of Berkely, "except the few valuables, which I scarce know why I brought with me on my flight hither. This scroll, which I shall leave behind, gives my faithful minstrel permission to save himself by confessing to Sir John de Walton who the person really is whom he has had within his reach." "It is strange," said the novice of St. Bride, "through what extraordinary labyrinths this love, this Will-o'-the-Wisp, guides his votaries. Take heed as you descend; this trap-door, carefully concealed, curiously jointed and oiled, leads to a secret postern, where I conceive the horses already wait, which will enable us speedily to bid adieu to St. Bride's. Heaven's blessing on her and on her convent! We can have no advantage from any light until we are in the open air." During this time, sister Ursula, to give her for the last time her conventual name, exchanged her stole, or loose upper garment, for the more succinct cloak and hood of a horseman. She led the way through divers passages, studiously complicated, until the Lady of Berkely, with throbbing heart, stood in the pale and doubtful moonlight, which was shining with grey uncertainty upon the walls of the ancient building. The imitation of an owlet's cry directed them to a neighbouring large elm, and on approaching it they were aware of three horses, held by one concerning whom they could only see that he was tall, strong, and accoutred in the dress of a man-at-arms. "The sooner," he said, "we are gone from this place, Lady Margaret, it is so much the better. You have only to direct the course which we shall hold." Lady Margaret's answer was given beneath her breath; and replied to with a caution from the guide to ride slowly and silently for the first quarter of an hour, by which time inhabited places would be left at a distance.

COUNT ROBERT OF PARIS.

If we were disappointed in our expectations, in the perusal of "Castle Dangerous," we are happy to say that the disappointment has been amply atoned for by the pleasure which we have realized in reading "Count Robert of Paris." Great and momentous events, magnificent descriptions, with all the splendor and pomp of oriental pageantry, form the prominent features of this captivating and interesting story. The scene opens in Constantinople, in the time of the Emperor Alexius, and this person occupies a prominent position in the leading events of the story. The tale is founded upon facts well known to the readers of History, and is embellished by all the attractive portraying for which the author is so eminently distinguished. We did intend to have enriched this article with an extract; but time and space not permitting, we must refer our readers to the work itself, to enjoy all the pleasures which attend the perusal of a powerful and vividly written novel. Count Robert is the last that we may expect from Scott of this class of novels; and we are gratified in saying that it exhibits no marks of the influence of age—no signs of any diminution of the power of his genius; but displays throughout, all the vigor, sprightliness, and force of his powerful mind, the enchanting magic of whose wand has been felt by thousands, and the glorious productions of which will last while the language is spoken.

A GENERAL VIEW

Of the Progress of Ethical Philosophy, by Sir James Mackintosh, LL. D., F. R. S., &c. &c. *Published by Carey & Lea.*

This is one of the most valuable books, that has emanated from the press for a long time, and richly deserves a more extended article than our space at present will admit of bestowing upon its merits. It is upon one of the most interesting subjects upon which the human mind can be engaged, and one which should receive the attention of every individual, who is pleased with the advancement of human nature in the sphere of moral elevation, and who delights in tracing the progress of those principles upon which private happiness is based, and the welfare of the social state preserved.

The object of the work before us is to exhibit in a brief, connected, and intelligible manner, the Progress of Ethical Philosophy, chiefly during the seventeenth and eighteenth centuries, with a satisfactory exposition of the various and discordant doctrines which have been advanced by different theorists in morals, within those periods. A short view is given of the doctrines of the ancients, for the purpose of rendering the subsequent parts of the work more intelligible.

The work is sufficiently comprehensive to answer all the purposes for which it is designed, although brevity has been aimed at by the author.

All the prominent writers on morals have received a portion of the author's attention; and the theories and controversies of Hobbes, Cumberland, Cudworth, Clarke, Shaftesbury, Fenelon, Bossuet, Leibnitz, Malebranche, Edwards, Butlin, Butler, Hutchinson, Berkeley, Hume, Smith, Price, Hartley, Tucker, Paley, Bentham, Stewart, and Brown, are touched upon with a master hand—their fallacies and sophistries satisfactorily exposed, and the different truths which lie scattered throughout, are held forth to the reader in bold relief. We have rarely perused a work that has afforded us so much pleasure; every page is full of instruction, and we can confidently commend it to our readers, as a book which should by all means find a place in their libraries.

It contains a vast body of information; and displays laborious research, and profound investigation.

As many still entertain erroneous impressions in regard to the Epicurean philosophy, we shall conclude this article with a few extracts in relation to the principles of its founder, and his character as a philosopher:—

"To Epicurus (says Sir James) we owe the general concurrence of reflecting men in succeeding times, in the important truth, that men cannot be happy without a virtuous frame of mind, and course of life—a truth of inestimable value, not peculiar to the Epicureans, but placed by their exaggerations in a stronger light; a truth, it must be added, of less importance as a motive to right conduct than to the completeness of moral theory, which however it is very far from solely constituting." "The moral character of Epicurus was excellent; no man more enjoyed the pleasures or better performed the duties of friendship. The letter of his system was no more indulgent to vice, than that of any other moralist. Although, therefore, he has the merit of having more strongly inculcated the connexion of virtue with happiness, perhaps by the faulty excess of treating it as an exclusive principle, yet his doctrine was justly charged with indisposing the mind to those exalted and generous sentiments, without which no pure, elevated, bold, generous, or tender virtues can exist." A. C. D.

DUET.

HENRY.

Night is now veiling, love,
The beautiful sky—
You bright moon is sailing, love,
And soft winds do sigh;
Come to our lov'd bowes,
And bring thy guitar,
I will call thee a flower,
With the tints of yon star.

ELLA.

Oh! yes, I will come, love,
And wander with thee
To the wild bird's home, love,
Singing merrily;
When morning is beaming
O'er mountain and hill,
And our hearts are dreaming
Of love's purest thrill.

HENRY.

I go to the field, love,
Where the laurel wreath,
To the warrior's shield, love,
Prom ignoble death.

ELLA.

And thy Ella will mourn—
But do not forget
That her bosom is torn
With pangs of regret.

HENRY.

Morning is now dawning, love,
I must not delay.

ELLA.

Oh! linger not long, love,
From thy Ella away.

BOTH.

Dearest, adieu!

From the Casket.

THE TRIAL BY JURY.

We will maintain and support the right of instructing our fellow-subjects, by every sincere and conscientious communication, which may promote the public happiness, and while we render obedience to government, and to law, we will remember at the same time, that as they exist by the people's consent, and for the people's benefit, they have a right to examine their principles, to watch over their due execution, and to preserve the beautiful structure of their political system. Essayist.

When our forefathers landed on these western shores, and formed a little community of firm and fearless hearts—when they reared their simple institutions, and met in their colonial counsels; when they agitated the momentous question, whether taxation, without representation ought to be endured; when they decided that question with a bold signature—it was their honest boast and active impulse—that they were descended from a free and manly race; that in them the Saxon spirit still lived and burned!

Few employments are more interesting, or more useful, than to trace back to their origin, and to examine the first foundations of those institutions, whose value has been tested and acknowledged; to discern their influence upon national character, and to follow their gradual improvement, up to their present perfection. Rude as were our Saxon ancestors, we dwell with gratification upon their history, for there are in it incidents and traits of noble feeling, worthy of admiration. They were a sturdy race, and clung with honorable tenacity to their rights. While lute subjection, the mind of the people at time regarded, so far as their feelings, or their interests were concerned, as the beast of the field; popular power existed, and popular institutions were cherished among the Saxons, and the influence was not lost in the midst of invasion, contention, and revolution. They were restless under oppression, and never completely enslaved. Though they were unable to shake off their fetters, yet they contrived by their ceaseless struggings, to loosen their strength, and lighten their pressure.

As far back as we can pursue the line of investigation, we discover a participation of the people, in the administration of the laws; and as we grope our way among barbarous customs, and absurd enactments, shrouded in the darkness of ignorant and superstitious antiquity, this reveals itself, a cheering and redeeming light, in our devious wanderings, through the rarely frequented and unalluring walks of legal history. The popular participation of which we speak, is visible in the fragments that remain to us of the history of Saxon jurisprudence, previous to the Heptarchy, as well as in its subsequent history. We discover in it the laws of Ethelbert, the most ancient in modern Europe; the laws of Hlothaire, and Eadric, and Wihtred, Kings of Kent; the laws of Ira, King of the West Saxons; and after the Heptarchy, we have the institutions of the illustrious legislator Alfred, and of Edward, the Confessor; many of which are decidedly popular, and admirably adapted to the habits and circumstances of the times. I need but refer to Alfred's police system, with its *hundreds*, and its *decennaries*. There cannot be a doubt that it was this recognition of the right of the people, to be heard in matters so connected with their dearest interests, which pervaded the common law, even at this early period, that kindled in the breasts of our ancestors, so strong an aversion to the civil and the common law. The excellencies of the *institutes*, and the *pandects*, were disregarded—their beauties were without attraction, however equitable were their exposition of the governing principles of contracts; however correct their detail of the rights and duties, growing out of the domestic relations; they breathed the despotic spirit—"Quod principi placuit legis habet vigorem,"—that which the Prince wills, has the authority of a law; and our ancestors, with noble energy, avowed their attachment to their own homelier, and more popular system, and said,—"Quod volunt leges Angliæ mutare, quæ hucusque usitatæ sunt et approbatæ"—that they would not change the laws of England, which had hitherto been used and approved.

The trial by jury is of great antiquity; but it was an ordinary mode of investigation in civil, long before it was applied to criminal cases. The *sectatores*, or suitors of court, taken from the great body of the people, who sat in the county, and other courts, and gave their verdict upon the matter of fact and of law, were a species of jury. It has been questioned, indeed, whether they could properly be called a jury; but the objection seems to rest solely upon the ground, that their number was indefinite, and not confined to twelve; and that there is no historical evidence, that they were sworn; and therefore, the better inference is, that they were not; but pronounced their decision upon their honour. It is well known that the members of the British House of Peers, now do the same, when they sit as a tribunal. So far, however, as the popular character of the *sectatories* is concerned, the objection amounts to nothing; and there is something most pleasing in the thought, that as early as, and even earlier than the reign of Ethelred, our ancestors were exercising those rights, and discharging those duties, so instrumental in protecting them from the grasping hand of tyrannical power; and which we, their more fortunate descendants, now regard as among the best, and surest securities of freedom. In the reign of Henry 2d, questions of property were tried by twelve good, and lawful men, sworn to speak the truth, and these were summoned by the Sheriff. Here, then, we have a jury, with all its forms of oath and summons.

By Magna Charta, it is provided, that no man shall be punished for any alleged offence against the country, except he has been tried, and found guilty by his peers, or equals—"nullus liber homo capiatur nel imprisonetur, aut exulet, aut aliquo alio modo destruatur, nisi perlegale judicium parium suorum, vel per legem terræ;" and the efficacy of this "palladium," when preserved "from all secret machinations which may sap and undermine it," has not been too much extolled. The only subject of regret, is, that there are so many instances in history of a preservation of its forms, with a destruction of its spirit. In looking over the records of the English state trials, one is almost astonished to perceive how completely have been swept away, every beneficial effect, intended by the institution, of a trial by jury; and this, by the corrupt management of the servants of the crown, in the packing of jurors—by a denial of the accused's right of challenge—and by threats of attaint. Thus perverted, the trial by jury became nothing more than another mode of executing royal vengeance, upon the unhappy victim of royal fear, or enmity. But even then, it had its advantages over a more summary process of despatch; it was public—it afforded some time for deliberation—it gave the incensed a space to breathe, and a moment to consider; and there is no doubt, but that the page of English history, would have presented far more instances of judicial murder, and informal outrages upon life and liberty, if this barrier, standing between the people's rights, and an impatient Sovereign's prerogative, had not required the trouble, and the risk of a subversion, before his aim could be accomplished.

The estimation in which this mode of trial was held by the fathers of our independence, is shewn in their loud and repeated remonstrances against an extension of the jurisdiction of Admiralty, and other courts, where the constitutional privilege of this medium of investigation was denied the subject. These remonstrances form an important part of their bill of complaint against the mother country.

Like every other human institution, the trial by jury can make no boast of abstract perfection. Jurors are often not sufficiently intelligent to comprehend an intricate matter of fact, presented for their determination; to unravel an entangled skein of conflicting circumstances, which would puzzle the clearest, and shrewdest intellect, most conversant with those things; to scrutinize with nice eye, and to weigh with deliberate hand the evidence adduced;—jurors may be prejudiced, and frequently have a personal interest, and consequently, a personal feeling, in the question before them; and that feeling may influence their verdict, and hurl the justice of the case to the earth, without their being conscious of the commission of an error. When men are promiscuously taken from the mass of the people, to fill a jury box, we cannot expect to find them always intelligent, or always virtuous. But would we be willing to vest a single individual, or any stated number of individuals, however elevated in learning, and in virtue, with the sole power of deciding every question of law and fact, that might arise in our civil and criminal courts? Can we not imagine instances, even in our own republican land, where judges, learned judges, might be influenced by motives, from the operation of which the mass of the community would, of necessity, be exempt?—might they not have an interest to serve in the case of a public offender, or in the question involved in such a case?—it would be invidious to imagine that such instances ever have occured, or will occur, but it has been most truly said, that "laws were made to guard against what men may do, not to trust to what they will do." We are all of us more or less influenced by situation and circumstance. Take the most able and the purest man—seat him upon a tribunal, and invest him with the absolute power of determining every case upon the law and the fact; let our jurors be dismissed as an unnecessary appendage to our courts, and let him consult solely his own opinion, and his own will; and he must be something more than man, if his manners would not become somewhat austere, and his disposition somewhat tyrannical. Besides, nothing can be so well calculated to make people acquiesce in the justice of punishment upon an offender, as a conviction of [illegible] by the judgment of a portion of themselves, [illegible] particularly, could be established, so well calculated to satisfy the people—so well adapted to republican habits and feelings. It is an exercise of power which the people never will, and never ought to surrender; and with its existing checks, and judicious regulations—with the right of the judges to instruct, and to decide in matters of law; with their power of granting new trials when they have reason to believe that juries have misconceived; been influenced by prejudice, or misled in the application of the law, by the charge of some judicial brother. It is doubtless the best method of investigating truth, and punishing wrong, that has yet been devised.

The excellence of our system of government depends upon the degree of intelligence and virtue, existing among those who exercise the right of suffrage. If the people are ignorant and corrupt, however beautiful in theory—however free in form, may be the system, its very freedom will be its injury; the extension of popular rights—the universality of suffrage will be productive of popular tyranny, exercised through the medium of mobs and demagogues. The excellence of the trial by jury, depends upon the same principle; those who exercise this invaluable right should seek knowledge, that they may understand their duty, and properly perform it; they should feel its importance—they should recollect that it is their's to decide upon the lives, liberties, and property of their fellow citizens; and that this, a lofty privilege—an awful duty, a sacred trust; every man has an interest in this; he who is a juror to day, may be a plaintiff, a defendant, arraigned to morrow; every man, therefore, should feel an earnest desire, and those who can, should make an earnest effort, to diffuse throughout the community, the requisite information. This strong inducement, to the spread of useful knowledge, among all classes of the people, has not been sufficiently regarded, because it has so long existed. We are much more apt to be caught by some new impulse; to dwell upon some incentive. We become blind to the abuses of a system which has long existed, and of which we are only accustomed to hear in terms of abstract theoretic eulogy; and so it has been with the trial by jury; its excellence, its popularity, have been vaunted, and the praise has been thought deserved, when it was not considered, that the ignorance of jurors made them the supple tools of a domineering and unprincipled judge. If you would have Justice filling her chosen seat with native majesty, "lovely even in her frown;" if you would have her hold the balance with equal hand, and raise the sword at duty's call alone, it is not sufficient that our judges, and our jurors should be virtuous; our judges should be learned, and our jurors intelligent; and what man of sense requires to be informed of the dependence of virtue on intelligence. The present age, more than any other, is characterized by efforts to enlighten the mass of the people; the diffusion of useful knowledge, is a subject that now occupies the wisest heads of our purest land. Those who once regarded the multitude of the people as scarcely having a political existence—as doomed to be mere instruments of labour; mere "hewers of wood, and drawers of water," whose thoughts should never wander from their round of daily drudgery, begin to think the subject worthy of some attention. Every argument in favour of the increase, and spread of intelligence, which can be advanced in other countries, and under other systems of government, receives an additional force, when applied in this country, and under our system. Let a man but glance at the magnitude of popular power, and then ask himself the question, can that power be judiciously exercised without intelligence, and intelligence in no ordinary measure? the power cannot be diminished. If we were inclined, we could not do it; what has been once imparted, cannot easily be taken back: and power in the hands of the ignorant, is like a knife in the hand of a child, who will injure others and himself. Let us then, with power, impart the means of properly using it; and this can be done in one way only—by instructing the people. Let it not be said that by expanding the minds of the lower classes, you make them dissatisfied with their condition, and ambitious of those stations, for which they have neither capacity nor cultivation. Such a dissatisfaction, and such an ambition, could only result from that ignorance which we wish to remove. We cannot believe that they could flow from that which would demonstrate their absurdity. Intelligence shewing a man the necessity, and advantages of the station which he fills, or very reasonably hopes to obtain, will teach contentment, and prevent the sighing after unattainable distinction. The yearnings of foolish rabble ambition; the desire of lording it over those whose superiority is offensive, has ever been the offspring—not of rough, enlightened industry, but of vulgar, noisy ignorance. There is nothing to fear from an intelligent, but much to fear from an *ignorant, and excitable*, condensing population. The opponents of popular education, are guilty of the absurdity of laying to the charge of education, the very evils which they admit to be the product of ignorance. It would be most strange, if opposite causes should produce the same effects; but nothing can be plainer, than, that before any argument can be brought to bear against the cause of popular education—it must *be shewn that knowledge is injurious*; that its tendency is to darken, not to enlighten the perceptions—to narrow, not expand the intellect—to blind men, not to open their eyes, to their true interests—to kindle, not to allay undue excitement—to render men the readier dupes of plotting demagogues—to make them turbulent, obtrusive, and rebellious; and to prove all this, will require, we think, abler and readier antagonists, than have yet taken the field. But, in fact, the number of antagonists whose own intelligence entitles them to a moment's consideration, is but few. The mass of sensible men are devoted to the cause; the only difference of opinion, is, about the means to be employed. There may be those who are opposed to popular education, because its effect would be to take from themselves their own little distinction: a trifle above the multitude they despised, in mental culture, and not more than the equal of the meanest of them in mental capacity; they tremble at the idea of being surpassed in intelligence by the rustic, and the mechanic; others of more pretension, and similar liberality, fear that their acquirements will obtain for them less respect, as the distinction will be less apparent. For the opposition, and the motives of such as either of these, we can only feel, and express a sovereign contempt. Let them improve their superior opportunities, and they need not be apprehensive of the poor man, who spends the hours of respite from his toils, in useful reading; and not as formerly, in senseless frolic, or vicious indulgence. Let their ambition take an honorable direction, and let them resolve to waste the midnight oil in deep research, rather than not retain their superiority. As for those who oppose the extension of knowledge, because they would prevent inquiry into existing abuses, in our country, we hope, and believe the number is but few; this is not their element; things have gone too far for them; it is too late for them to raise their warning voice; the hooting of the owl would sound strange at mid-day. If any such there be, they can only mourn over the degeneracy of the present times; enjoy the delightful—the sweetly melancholy recollections of departed despotism, and prognosticate with "assurance strong as proof of holy writ," our certain destruction, as a people, from our denying "to attend to the neglected, and to visit the forgotten." Unconvinced by the solidity of their arguments, and unalarmed by the solemnity of their forebodings, we leave them to their interesting employment, without a hope of overcoming their prejudices, or a wish to conciliate their esteem.

J. B. S.

TO P—— S——.

Come not to the bower, for winter's breath has faded
The jessamine which bloomed so sweetly there;
The green ivy 'n gone, which its gentle opening shaded
From the sun's bright rays which wantoned in the air;
While the walking birds delightfully were sporting,
Among ambrosial sweets borne on the summer gale;
Where dreaming hearts were soft anthems courting
From the streamlet's [illegible]

Come not now, for the star which shone the lightest
In youthful hours, with a soft benignant blaze,
Ove those who deemed each coming hour the brightest,
To happy wanderers in life's delusive maze,
Is dimm'd by the cloud simmering in the distance,
To damp the soul's keen fervency forever,
Rejoicing 'mid scenes of pleasurable existence,
To quench the spirit's fire, and its joys to sever.

Come not now, for years of bliss are clouded,
And faithless hope, a blight to joys betoken,
For the veil of gloom, the gem of love has shrouded,
Which kindled golden dreams are young vows were broken.
Peace has furl'd her wing, and those that were dreaming
Of pleasure's star kindling in life's cloudless sky,
Have felt a sick'ning blight, as do flowers richly beaming,
Kissed by morning dews which on their bosoms lie.

Nay, come not, for winter's breath has shaken
The fragrant clusters enrich'd with summer's bloom;
Those we warmly loved have our paths forsaken,
With love as transient as autumn's sweet perfume;
And smiles which were to trusting youth admiring—
As the rich music of the zephyr's song—
Have gone from life's sky like light clouds, inspiring
Rich thoughts, then pass away, and mingle in the throng.

Auburn, N. Y. ANNA.

[For the Saturday Evening Post.

Thou will keep him in perfect peace, whose soul is stayed on thee.—*Isa.* 26 ch. 3 v.

Such promised, who would resist?
Sweet tokens of his love,
Sinner you're blind if you persist,
O come! such goodness prove.

Sweet to the burthened mind,
Sweet to the aching heart,
Sweet to those, by grace inclined,
To choose the better part.

Sweet to the cool, grassed down,
By divers earthly cares,
Where seeds of sorrow have been sown,
In earliest blighted years.

Sweet to the one whose youth,
By love and mercy drawn,
Desires in ways of truth,
To dedicate its dawn.

Lord, help us all to trust in thee,
From sin our souls release,
Clothe us with meek humility,
And give us perfect peace.

B.

CHARLES THE FIFTH.—Asked Michael Angelo one day, in what estimation he held Albert Durer; when, with all the noble frankness of a man of genius, who knows how to appreciate superior talents, he instantly replied, "I esteem him so highly, that I would, if I were not Michael Angelo, much rather be Albert Durer than even Charles the Fifth."

POOR ARCHBISHOPRICS.—An ambitious French ecclesiastic in the reign of Lewis XIV. went to Rome in the earnest hope of being elected a cardinal, but returned with no other recompence for his trouble than a violent cough! Those who spoke of this at the time, said, he could was easily accounted for—he took it by *breathing from Rome without his hat!*

KNOWLEDGE.—The tree of knowledge is grafted upon the tree of Life, and that fruit which brought the fear of death into the world, budding on an immortal stock, becomes the fruit of the promise of immortality.

WHEN THEN.—Among the superstitions of Mecklenburg-Schwerin, is one that, "women who sow flax-seed should, during the process, repeat some names of falsehood, otherwise the yarn will never bleach white." Query.—Is this the origin of the phrase?

LIFE AGAINST LIVING.—A young clergyman who found it impossible to provide for his family with his very slender income, wrote to his friend, "Dear Frank, I must part with my living to save my life."

THE RICH AND THE POOR.—The prosperous man has every thing to fear, and the poor man every thing to hope. In the former every chance threatens loss, in the latter it promises benefit. He toils from the turning of the wheel who is already at the bottom.

HOWEVER.—The greatest things and the most praiseworthy that can be done for the public good, are not what require great gifts, but great honesty! therefore for a king to make an amiable character, he needs only to be a man of common honesty, well advised.

CRITICISM.—The eye of the critic is often like a microscope, made so very fine and nice, that it discovers the atoms, grains, and minutest particles, without ever comprehending the whole, comparing the parts, or seeing all at once the harmony.

GOD AND MAN.—Two things are equally unaccountable to reason, and not the object of reasoning, the wisdom of God, and the madness of man.

No woman hates a man for being in love with her—but many a woman hates a man for being a friend to her.

THE MARKETS.

COMMERCIAL PRICE CURRENT.

BREAD STUFFS, per bbl fresh from wagons,	$4 62½
do. do. do.	4 25
WHEAT, per bushel,	1 00
RYE, do.	60
CORN, new bushel,	36
POWER SEED, per bushel,	5 50
TIMOTHY SEED, do.	2 25
FLAX SEED, do.	37½
BARLEY, Canal, do.	1 00
OATS, do.	1 62½
OATS from wagons, do.	62
BEEF, No. 1, per bbl.	9 00
do. do. do. in bbls.	10 00
PORK, do. per 2 bbls. in bbls.	20 00
MESS PORK, per lb.	11
BUTTER, No. 1, in kegs, per lb.	10
do. do. do.	11
LARD, per bbl.	50
WOOL, Merino, per lb.	25
do. Western, do.	19
do. do.	7
TALLOW, do.	6
CANDLES, do.	12
CASTILE SOAP, do.	16
SPERM OIL, do.	66
WHALE OIL, do.	40
FEATHERS, do.	40
UNWASHED WOOL, washed,	30
Do. Fox Grande and La Plata, per lb.	17 to 18
RAW HIDES, SOLE,	24 to 28
LUMBER, White Pine boards, per 1000 ft.	$15 to 25
Yellow Pine,	13 to 16
Oak, joists,	11 to 09
Hemlock, do.	6 to 7½
Shingles,	1½ to 2½

The Markets.—Superfine flour continues in fair demand at about 5000 barrels having been taken for export at $4 62½ per barrel for Pennsylvania and Ohio brands of new inspection. Sales of fifty barrels of Rye Flour at $4 25. Corn Meal has been sold at $3 37½ per barrel. Corn, of small lots, about 38 cents per bushel, and considerable to arrive at 36 cents. Wheat, 1 load of Southern sold at $1 00 per bushel. Barley, 1 load at 68 cents. Oats, 1 load at 62½ cents from store. No change in Whiskey. Limeseed, 2000 bushels new crop, at 62½ cents from store. Hot little doing in Cotton seed. No transfers or sales of Timothy Seed reported. Mackerel are dull and low, and the demand for them is declining.

Sales of Public Stocks, in this City,

DURING THE LAST WEEK.

		Per Cent.
$1000 Pennsylvania Fives redeemable in 1853 at		109
100 do. do.	do. in 1854 at	109
200 do. do.	do. in 1859 at	105
10 shares Bank of the Commonwealth,		125½
50 do. do.		126
50 do. do.		47
50 do. do.		47
50 do. do.		47
50 do. Delaware Bank,		70
50 do. Bank of Northern Liberties,		68
50 do. Germantown & Norristown Turnpike,		30
50 do. Philadelphia, Germantown and Norristown Railroad,		29½

Post Masters for the U. S. Post and Casket.

Bethel, Conn.	T. J. Hemingway.
Iowa, Ohio.	Martin A. Fisher.
Glasgow, Ohio.	Thomas Woodby.
Bee Mount, Ind.	Thomas B. Smith.
East Hamilton, Pa.	Wm. Lindsay.
Bethany, Ky.	Joseph H. Smith.
Hillsboro, Ky.	Thomas S. Throckmorton, Esq. P. M.
Shermansville, Ind.	Samuel Bales.
Hillsboro, Pa.	John Turner jr.
Mount Pleasant, Pa.	Charles Carmichael.
Jacksonville, La.	Christian Lee.
Smithtown, Pa.	Gideon A. Pennock, as proxy of H. Pennock.
Hillsboro, Pa.	S. Sandford, Esq. P. M.
Hillsboro, Pa.	E. Carmichael, Esq. P. M.
Uniontown, Pa.	Jacob D. Cruikshank.

A beautiful lithographic quarto print of the Hon. James M'Lean, of Ohio, the late efficient Post-Master General, from Messrs. Childs and Inman's press, is for sale at this office. The print is from a full likeness taken by Sully, and is remarkably accurate. The price is 50 cents per copy. Postmasters ordering a dozen or more copies, will be furnished them at the liberal discount. Orders from the country must invariably be accompanied with the money.

PHILADELPHIA:

Saturday, March 24, 1832.

To Readers and Correspondents.

No order for the insertion of communications from a distance will be attended to, unless accompanied with the money.

The address to the "Brothers of Apollo," by J. B. we shall insert shortly. The lady not having announced the name of her favorite, shall wait the time for a decision has been made. We hope to be favored with a communication from Lowell. We bespeak a friendly reception for a friend, J. B.

"Lines to ——" will be published.

The lines by "A. W." are overcrowded, dull and insipid. Improved judgment in a new school of poetry—really dull, and unpromising genius. Generally he possesses, to a very great extent, the ability to write metrical compositions; but the fluidity, so indispensably evident in the school to which he is attached, is a mechanical acquirement, allied in no slight degree to genuine poetry.

"J. K. M." is no Pindar.

*** Mr. Hoffman, the American Fire King, late of this city, more recently of Baltimore, and now, it is believed, of Washington, D. C. will oblige the publisher of this paper, by remitting, as speedily as possible, the balance due on his bill for printing. The little attention Mr. H. paid to various personal solicitations for a liquidation of the claim, must be the apology for this public request.

The terms of this paper, our subscribers will remember, require payment to be made in advance, or additional expense is incurred. Very many subscriptions for this year are due, which we should be pleased to have paid as speedily as possible. Those in arrears more than one year, will shortly be furnished with bills, which we trust they will liquidate at sight. Such as may have neglected us for two years, we shall be obliged to erase from our books, unless a remittance is received in a short time. We trust our friends will not look over this matter, and they have satisfied themselves that no part of this paragraph is applicable to them. Punctuality with people in general, is the life of trade—with printers it is the trade of life.

A letter was received at this office last week, from New York, Indiana. It was clumsily folded, and appeared as if the seal had been broken, the letter opened, re-folded, and again sealed up. It should have contained a five dollar bill, but if it ever did, some scoundrel abstracted it, and converted it to his own use. The loss to us is not considerable, but as it is the second time we have been defrauded, within a few weeks, we think it right to institute a rigid investigation into the matter. We therefore call upon the Postmasters on the route between this city and New York, Indiana, to aid us in ferretting out the thief, that he may be suitably punished.

Our friends of the Patriot and Shield lack courtesy towards their brethren of the type.—For several weeks past they have made large extracts from our paper, without giving us the usual credit. Upon such matters we are not remarkably fastidious, excepting in cases where we have reason to believe credit is purposely withheld, and from an unworthy motive. In the present instance, we attribute the remissness of the Shield to inattention, which will not be pertinent in by the editors, now that a matter of complaint, on the score of common courtesy, is laid to their charge.

Several public dinners are about to be given in this city. One in honour of the anniversary of the birth-day of Jefferson, the distinguished author of the Declaration of Independence; another to R. M. Johnson of the Senate; and a third will be offered to the Hon. John Quincy Adams. These two gentlemen, in connexion with five other members of Congress, are now in this city, on business connected with the United States Bank.

So far as we have been able to discover, from an attentive perusal of the proceedings of Congress, those bodies, as yet, have disposed of but a very small portion of their usual business. The leading questions agitated appear to be, the apportionment bill—the tariff—and the U. States Bank. All other matters are made subsidiary to the convenience and inclination of the members. A great variety of interesting and important business has been, from time to time, pressed upon the attention of Congress by the people at large, but such is the fondness of the members for discussion, even on the most minute points, that the time for adjournment will arrive, before they can, by any possibility, dispose of half of that now lying on the table. It is unfortunate for America that her sons are so pertinaceously addicted to speech-making. It is especially unfortunate for the constituents of the members of Congress, obliged to read the long and dry details of their representatives, and still more so, to be compelled to pay for them a handsome sum in ready money.

It matters but little, in our day, what general intelligence a man may possess—what may be the powers of his mind, the depth of his erudition—for if he possess not also the happy facility of cozening his neighbors with words smooth as oil, well-rounded sentences, and pretty adulatory speeches, these acquirements avail him nothing. Oratorical abilities are the passport to office, power, and popularity. No one is countenanced unless he is gifted in speechifying, and no one is sent to Congress, or to the Legislature, unless he be so gifted in an eminent degree.

The custom obtains no less in great matters than in small—no less in Congress than in smaller bodies. Even in our literary clubs, benevolent associations, corporate meetings, conventions, delegations, the most impertinent speakers are sure to be countenanced, not unfrequently to the prejudice of men of sense and merit.

The great evil which arises from this state of things is, that the popularity a good speaker may obtain, operates as a powerful impetus with shallow headed coxcombs to try their skill at oratory in all assemblages in which they can gain access. They are constantly on their feet, calling attention by "Mr. Chairman, I rise," &c. and unceasingly bringing forward silly propositions, and imposing their intolerable ignorance, upon the easy and good natured. In truth, these incessant speakers are incessant bores—not having the discretion to hide their want of information by closed lips, at every step they make themselves fit subjects of merriment and ridicule.

The disposition to perpetrate speeches in Congress, seems to prevail among the members at this session more generally than usual. At former sessions if a member spoke more than an hour at a time, he was generally informed, by easily interpreted indications, which he had not the temerity to disobey, that he was growing wearisome. Now, to speak a whole day, or even two, three, or four days, on one subject, is by no means unusual, and the perceptions of the member in discovering symptoms of impatience among their auditors, have become remarkably dull. In despite of scraping on the floor, sneezing and coughing, they will have their say out.

One object in alluding to this fact is, to show the superiority of the present over past ages—the extraordinary success of the schoolmaster. Future candidates for public favor will urge as a recommendation, not their ability to speak, but the facility they possess in making *long* speeches. He that proves himself capable of talking for two or three weeks upon a stretch, will scarcely dare to compete with one possessed of the admirable ability of speaking for three months in succession, *at the rate of a large octavo daily.*

These remarks, however justly they may be applied to two-thirds of our public speakers, are not applicable to such men as Clay, Webster, Hayne, Calhoun, and some others, who when engaged in the discussion of important subjects, in the various intricacies of which they are well versed, require time to remove the mists which petti-foggers have created around them. No one ever complains that these gentlemen make long speeches—no one becomes fatigued while listening to their overpowering eloquence, for every faculty of the mind becomes absorbed in the progress of their argument. They are the pillars of our country, and the brightest and purest ornaments in our array of talent.

Among the important matters which appear to us to be treated with unwarrantable indifference by Congress, we may mention the subject of a reduction of postage on newspapers and periodicals. This has been urged upon them by intelligent citizens in all parts of the Union. It is a subject in which the great mass of our people are interested in a pecuniary point of view, and one which intimately affects the progress of science and the dissemination of general information.—At present the high postage on periodical publications, in many cases, as an entire prohibition; preventing the circulation of newspapers and cheap literature, peculiarly adapted to the wants and exigencies of a free people, inhabiting a widely extended territory.

Our people—virtuous, industrious, ingenious and persevering, as they are, and intelligent as they are anxious to be—newspapers and periodicals are as necessary as the food which sustains life. Knowledge is worth nothing unless it be disseminated. The common feeling of affection for each other—inherent in those who occupy the soil where Liberty dwells—which pervades the inhabitants of every State, renders indispensable a history of occurrences in every part of the Union. The most distant inhabitants are our brothers and friends—in their prosperity we rejoice—in their afflictions we sorrow—and to their calamities and distresses, so far as human means avail, we must be allowed to extend the hand of relief. We wish a constant, uninterrupted intercourse with them, and we have it in newspapers—but those newspapers are *taxed!*—a shame on the age in which we live.

About eleven o'clock on Monday evening, a fire broke out in the Tobacco and Segar store, corner of Chesnut street and Goforth alley, owned by Messrs. Fouge and Boibe. The family of Mr. Fouge occupied part of the house as a dwelling. In the upper story, a servant girl was sleeping in one room, and two sisters, one a wife of the Tobacconist, with a young child, were in the other. The flames spread with such rapidity, that all entrance into the dwelling was found to be impossible. In this dreadful dilemma, one of the sisters who had just been awakened, appeared at the window with the child in her arms. Carpets were procured among the neighbors and held by the crowd below. She flung her child first upon the carpet, and then sprung out herself. She was much burnt and bruised; but her infant, to her great joy, was uninjured. The other sister, Miss Phoebe Wilkinson, in the pause of the moment, ascended to the roof of the house, and threw herself upon the pavement beneath. She had already suffered dreadfully from the fire; her hair was destroyed, and her face, neck, hands, and arms, were horribly burnt. She was conveyed into the house of a neighbor, where she was attended by Drs. Parrish, Pancoast, and Gilbingham. After her wounds were dressed she was enabled to give a very clear account of the disaster. It appears that she lost her life through a generous attempt to rescue her nephew and the servant from their perilous situation. The injury which she received from the fire, was in an ineffectual attempt to descend below, while the flames were rushing upwards, along the stair case. Unable to proceed in that direction, she gained the rear roof of the building, from whence she either fell or sprang to the ground,—thereby receiving much additional injury. She expired in great pain on Tuesday afternoon.

A little boy, who leaped from one of the windows, was taken up nearly insensible, and it was at first supposed his neck was dislocated. Dr. Parish, however, was sent for, and succeeded in restoring him to consciousness. The lad will in all likelihood survive. The servant, however, a colored girl, who slept in the third story, was so severely burnt and suffocated with the smoke that she expired almost immediately. An inquest was held over the body on Tuesday morning.

The property in the store was insured; the extent of the damage is supposed to be about 2,000 dollars.

The bill for the entire abolition of Lotteries in this state, after the first day of May, next, passed the House of Representatives on Tuesday last, by a vote of 76 to 6. It will not, we think, be rejected in the Senate.

On Thursday evening of last week, Homer Milton, a prisoner in the Doylestown jail, made his escape by scaling the wall. He was committed on a charge of house breaking. This is the third escape from that prison, within six many months.

Much dissatisfaction exits among our citizens, we are informed, in consequence of the passage of the bill in the legislature of this state, granting the keepers of Oyster cellars the privilege to retail ardent spirits. A memorial, signed by great numbers of respectable citizens has been forwarded, praying that the law may be repealed.

Twelve counterfeiters were arrested in New York on Tuesday. A large quantity of spurious bills, drawn on the Fulton Bank, was found in their possession.

Halsey Clark, Esq. Postmaster at Bronson, Huron Co. Ohio, lost his life on the 8th instant, by the falling of a limb from a tree. He was an industrious, sober man, much respected by his neighbors.

The following circumstance, though too horrible to think of, is quite true:—An unfortunate laborer was lately seized at Haddington with the cholera, and died, or was given up by the doctors. According to the present order for immediate burials, the relatives of the laborer were compelled to proceed to coffin him as soon as his death was announced. When the grave clothes had lain a short time on him the dead man threw them, by a sweep of his right arm, from his breast. No notice was taken of this, but a few fir boards were hastily nailed together for his coffin, and he was thrust into this "narrow house," while his chest undulated with the spasms "which are said to occur after death!" From the period of his reputed demise until the clods of the valley covered him, a space of little more than five hours elapsed.

LITERARY NOTICES.

A second edition of "Bourrienne's Life of Napoleon," has just been published by Messrs. Carey and Lea, booksellers, of this city. The first edition was disposed of with extraordinary rapidity—a sure evidence of the merits of the work. Many important additions have been made to the present edition; consisting principally, of narratives, opinions and details, selected *from a number of documents*, dictated by Napoleon while at St. Helena; from the memoirs of the Duke de Rovigo, and the writings of the Marquis of Londonderry, and other English officers.

The work is comprised in a single octavo of six hundred and seventy pages, containing more matter than the ten French volumes. The mechanical part is exceedingly well executed.

A very interesting tale, entitled "Henry Wallace, or the Victim of Lottery Gambling," is on our table, from the press of Messrs. Wilson and Swain, New York. It depicts the evils of this absorbing and fascinating vice in the liveliest colors, and points out, with unerring truth, the lamentable result of unrestrained indulgence therein. It is particularly addressed to youth. We wish the unvarnished narrative could be placed in the hands of every individual, over whose mind gambling has not yet acquired entire influence. It ought, also, to be read by legislators, that they may learn the heavy obligations which rest upon them, in regard to the suppression of lotteries.

The work is for sale by the principal booksellers of this city.

We have received from New York, a pamphlet of 100 pages, bearing the title, *Magdalen Tracts, No. 1.* A hasty perusal of a few of the chapters, has left some doubts on our mind as to the expediency of such publications. The design of the author may be a philanthropic one, but it has occurred to us, that the good which he appears anxious to effect, would be easier attained by unostentatious proceedings. The reformation of that degraded class of females, is a matter of deep importance, and should elicit the hearty co-operation of every benevolent person. The correct course of proceeding to remedy the evil, may in many cases be a matter of consideration, but that course can never be the promulgation of sickening details of licentiousness and debauchery, calculated to vitiate the appetite of the public, and to teach the inexperienced lessons of crime, which they ought never to know.

The sixth number of "Knowledge for the People, or the Plain Why and Because," is on sale, at Messrs. Carey and Hart's book store, in Chesnut street. The questions and answers in this number are principally on the subject of sports and pastimes, in the elucidation of which a vast deal of information is given. It is a deserving publication.

Messrs. J. & T. Doughty have just issued the first number of the second volume of their *Cabinet of Natural History and American Rural Sports.* It contains two embellishments, decidedly superior to any which appeared in their first volume, notwithstanding their excellence. The first is a representation of *Wild Horses*, a lively and spirited lithograph; and the second a *Great Horned Owl*, in the act of seizing his prey. Both prints reflect the highest credit on the enterprise of the publishers, and the skill of the artists.—The reading contents are full of interest and amusement. This work is one in every respect deserving of efficient support.

Messrs. Carey & Hart have issued in the printer form, "A Catechism of Facts, or Plain and Simple Rules respecting the nature, treatment and prevention of Cholera," by Dr. Granville, of London, a high dignitary among the British physicians. He decides that the Cholera is not a *contagious* but an *epidemic* disorder. We observe that, in the last number of the London Quarterly Review, the commercial distress of Great Britain is said to proceed in great part from the quarantine regulations in Europe with reference to Cholera.

THEATRICAL.

Miss Vincent took her leave of the Philadelphia public, at the Arch street theatre, on Monday evening. She had an excellent benefit. Her next engagement is at the Bowery Theatre, New York, which re-opened on Monday, under the management of Mr. Hamblin. We trust Miss V. will be as successful in winning her way into public favour with her native Gothamites, as she was in the city.

Mr. E. Forrest commenced an engagement on Wednesday evening, in Dr. Bird's *Gladiator.* The Doctor's new tragedy, it is pronounced, will be produced in the course of next week.

Mr. Booth appeared as Richard the third, on Monday night, at the Chesnut street Theatre. We had not the pleasure of witnessing the performance, but were assured by an intelligent friend, that it was a most able effort. He appeared on Wednesday, as Sir Giles Overreach, to a crowded and gratified audience. Othello was performed last evening.

M. J. E. Scott, according to the Baltimore journals, is playing in that city, with decided success. *Counsel of Naples* was to have been produced on Monday evening. The actor and tragedy must be successful wherever they appear.

The New Orleans Mercantile of a late date, says Little Burke is all the rage in that city. Rain or shine, good or bad weather, and the Camp street theatre is crowded with a fashionable audience to witness an engagement that progresses every night.

Anderson has caused another disturbance at New York. Mr. Russel, of the Richmond Hill Theatre, announced that the unfortunate player would appear on Monday last, but on application by the stockholders of the theatre, and the owners of property in the neighborhood, who made oath that his appearing would be attended with danger, an injunction was allowed in the morning, by the Vice Chancellor, and Anderson was withdrawn. The theatre was well filled, at an early hour in the evening, notwithstanding a notice of the injunction had been given to the public.

At the end of the first piece Mr. Russel came out and announced that pursuant to the injunction, he had been put under bonds of $10,000, to restain from producing Mr. Anderson!

He intimated that the vocalist was a persecuted man, and that if the audience desired, he would bring him out as soon as the injunction could be removed. The audience were divided in sentiment, but a majority seemed to be in favour of having him produced. The tumult and cries prevented any decision, and the manager withdrew.

Before the close of the second piece the crowd on the outside commenced an attack upon the house, and soon broke in and took possession of the theatre. Considerable injury was done the house.

This we presume has settled the question, and the hero of a war with the mate of a vessel, will be obliged to leave America at open enmity with a great portion of her playgoing inhabitants. We trust his ejection from our boards may produce good results, in teaching foreign actors more humility, and in keeping swarms of third and fourth rate London players from coming over to "hasten on the natives of Hesperia with their strionic fabulous."

EPITOME OF THE TIMES.

The following is an extract of a letter from Lisbon, dated Feb. 7. The American ships captured by the Portuguese naval forces before Terceira are about to be restored. The Portuguese commander who ordered the capture, is to be suspended for a year, and an indemnity of nearly 200,000 is to be paid by the Portuguese treasury to the American merchants who may have suffered losses by the detention of the vessels.

The comet has already been seen at Gibraltar.—A letter received in London states: "a considerable portion of the tail of the comet was visible to the inhabitants of these parts." The comet itself was not seen, but its direction was found to be northerly, so that we may soon expect the celestial visitor.

On Wednesday last, a child of Mr. Robert Wilson, tailor, residing in Marshall's Lane, Boston, aged about three years, was burnt to death, by its clothes taking fire. It was left alone in the room by its mother for a short time, who returned into the room on hearing it scream.

Steamboats now run between Canton and Pekin. A Canton paper contains an advertisement of the Steamer King-fo, to leave on the following day. She carries oxen, a surgeon, band of music, and has rooms elegantly fitted up for cards and opium smoking.

An application for a new theatre at Whampoa, has been refused, for the reason that there are already five theatres in that city, which is quite enough for its population, which does not exceed 3,000,000.

The queer mode of trying an egg, is to apply the tip of the nose to the blunt end, if it feels warm, and the result is cold, it is a proof that no fermentation has yet taken place.

The Boston Transcript tells a fish story about cod caught near where the brig Java was stranded, being taken with mackerel and coffee in their clam-baskets. In the mawes of the fare of a small new boat, nearly half a bushel of nutmegs and sundry samples of coffee were found.

The case of G. W. Murray against John A. Jones, of Mullenbergville, Geo. for slander, which has produced considerable excitement, was, at the last session of the Baldwin Superior Court, decided in favor of the plaintiff, in the sum of $5000 damages.

The Quebec Gazette of the 7th says: "the deepest fall of snow this season occurred on Monday and yesterday. Our streets were in some places completely blocked up. The depth of snow is now above the average at this season.

Cheap Sugar.—The holders of flour in Ohio, have taken advantage of the distress, and raised the price of flour from one to two dollars on a barrel.

On Saturday, the 3d instant, Mr. Henry Fisher, while standing in the black lead mine, in Southampton, Bucks County, was suddenly killed by the falling of a bucket from near the top of the shaft.

Maryland has received her claim to that part of Virginia lying between the North and South branches of the Potomac, comprehending part of Hardy, Hampshire, Monongalia, the county of Preston, and we believe part of other counties. It is intimated that one more invasion will be made on Virginia to settle the dispute by reference, and in the event of her declining, that the case will be taken to the Supreme Court. Virginia has heretofore declined any inquiry into the question of right.

A farce, called the "Cholera Morbus," lately performed in the Feakre theatre, was prohibited after a few representations.

Governor Peters, of Connecticut, has appointed Friday, the 20th day of April next, to be observed as a day of Fasting, Humiliation, and Prayer, throughout that State.

On representation by the Postmaster of Baltimore, that the most direct mail route between that place and Boston is under 300 miles, the Postmaster General has instructed it 3-4 cents postage only is to be charged on single letters.

The office of the U. S. Branch Bank, at Natchez, was broken into on the night of the 23d ult. The villains effected an entrance through one of the windows, the bolts of which were forced, apparently by means of a lever, and not being able to raise the sash broke through it. They were unable to penetrate the vault.

An emission of counterfeit five dollar notes on the Fulton Bank, New York, was issued on Monday evening. The paper is better and thinner than the genuine, and the filling up is bad, being done throughout with one hand. They were issued after the bank closed, in order to get them into general circulation during the night.

The brig Georgiana arrived at Boston from Philadelphia on Friday last, performed her voyage to and from this port, and received and discharged a cargo, in a period of sixteen days.

The New York City Inspector reports the deaths of 328 persons, during the past week, viz: 20 men, 24 women, 34 boys, and 34 girls, of which 39 were under five years of age. 23 died of consumption, and 13 of measles.

The New Orleans Bee of the 28th ult. says that all the smaller tributaries of the Mississippi, in the upper part of Louisiana, have overflowed their banks. The planters have turned out all their *hands* to secure the *levees*, and so prevent breaches from being made by the waters.

Oliver Wolcott, who is now 71 years of age, is the only surviving member of Washington's cabinet. He succeeded Alexander Hamilton in the Treasury Department.

Gen. Jackson, the President of the United States, completed the 65th year of his age on Wednesday, 14th inst.

We perceive by the Boston papers, that the editor of the Transcript has been elected a trustee of the Lying-in Hospital. We believe our brother of the Transcript is a bachelor—the more honor redounds to him from the selection, and we heartily congratulate him on his new honors, knowing as we do that he will not increase the business of his office by any undue means.

Michael Noys, a seaman on board the brig Isabella, of this port, while at anchor off Newcastle, on the 24th inst. fell overboard while in the act of taking a block to the bowsprin, was so more than five minutes in the water, but somehow when picked up, and by the time he got on board life was extinct. A doctor who was sent for immediately gave it as his opinion, that an apoplectic fit had caused his death. The man was buried at Newcastle.

The "Republican" members of the New Jersey Legislature, have nominated Menlon Dickerson, as their first choice, for the office of President, and Martin Van Buren as their second.

We perceive by the Boston papers that the affairs of the Kennebunk, (Me.) were closed on the 15th instant, notice having been previously given that its notes in circulation would not be redeemable after that date.

John Randolph has been formally announced as a candidate to represent the county of Charlotte in the next House of Delegates. On the same day, says the Lynchburg Virginian, Paul S. Carrington was announced as a rival Candidate.

The bill appropriating two thousand dollars for the relief of the Delaware tribe of Indians has passed both houses of the Legislature of New Jersey.

A law has passed the Legislature of Maryland authorizing a subscription, on account of the state, to the *Baltimore and Washington Rail Road*, to the amount of 600,000 dollars.

F. S. Hill, Esq. the former editor of the New England Galaxy, made his *debut* at the Richmond Hill, on Monday evening last, in the character of *Hotspur*. It was the most successful first appearance we have witnessed.

A Surgeon in Rhode Island, recently extracted a needle from the shoulder of a child aged only five months. It was believed that the needle was accidently forced into the child's shoulder from the nurses dress about ten days before. This should serve as a warning to parents.

A negro girl, called Elizabeth, was executed at Norfolk on the 16th instant, for the murder of a free colored woman in December last.

The severe hail storm at Georgetown, on Monday last, broke 400 panes of glass in one building alone: the lights of several other buildings suffered materially, upwards of 2 or 3 panes of glass having been broke in the frame and vicinity.

A late New Orleans paper states:—"A passenger on board of a steamboat which passed Ship-island, said that it would have been impossible to see where the town was, had he not seen the smoke issuing from the tops of the chimneys that were peeping just above the water's surface.

The last Huntingdon Gazette says:—"Mr. Maffet, the individual supposed to have been murdered in the seven mountains in Centre county, made his appearance in Bellefonte, one day last week, and upon his solemn declaration that he was not murdered, the person imagined on suspicion of having committed the deed, was released."

A splendid piece of ancient mosaic, has been discovered in the ruins of Pompeii. It is said to be unique, like the Apollo of Belvidere, and to surpass for every thing left by antiquity.—A battle car with twelve horses and twenty-one persons, with a number of other figures, half the size of life, are admirably delineated. The subject is conjectured to be the victory of Alexander over Darius.

A letter from Palermo of the 3d January states, that in the place of the volcanic island which had existed for some months between the Sicces and Pantelleria, and disappeared lately, is now seen a column of boiling water, about 24 feet in diameter, rising from between ten to thirty feet above the surface of the sea, and exhaling a strong bituminous odour.

On the 10th inst. near Centreville, Warwick, R. I. a man by the name of Reed Hoffin, of Plainfield, Conn., while in the act of passing a loaded team, the wagon which contained him, his daughter, and a small girl, was suddenly upset, and precipitated them a distance of several feet among the rocks. The father was badly injured, as in escaping only a few hours: his daughter received a broken arm, and the small girl escaped unhurt.

We notice in a late foreign paper, an advertisement of a teacher of a boarding school, in Cornwall co. England, which runs as follows:—"Every boarder must be supplied with a bible and prayer book, a knife and a fork, three towels, and a silver desert spoon: all of which, except the books, become the pensioners of the proprietor on the period getting school." Who would not keep a boarding school?

A Sailor's Motto.—During the late flood in the Ohio river, a cradle was found floating down the river, and in it an infant, over which was taken to Cincinnati, and is now said to be doing well.

It was stated on the floor of Congress the other day, that Mr. Randolph had received every cent of his salary and outfit to Russia. Mr. Cameron very properly observed that he would have considered the Roanoke orator very foolish if he had refused it.

The Starch Manufactory belonging to Lowe & King Esq. in Cambridge, was totally consumed by fire on Thursday last.

We regret to learn, that the spacious mansion of Genl. Morgan Lewis, near Hyde Park, has been destroyed by fire as well as some of the out-buildings. We understand that the building, furniture, &c. were valued at 30,000 dollars, and there was no insurance on the property.

"Pray, Mr. Abernethy, what is a cure for the gout?" was the question of an indolent and luxurious citizen. "Live upon sixpence a day, and earn it," was the pithy reply.

Captain Brown, of the Union Line packet brig Courier, informs us, says the New York Gazette, that on his passage from Charleston, a few days since, he caught twenty-seven codfish, weighing from ten to twenty-five pounds each, in eight fathoms water, seven miles E. S. E. of Cape Hatteras light house. The fish appeared to be plenty. It is believed no codfish were ever caught there before.

A splendid masked ball will shortly be given at Naples, by the Austrian Ambassador, in honor of the arrival of Sir William Gell, at which the party will appear in the costumes of the principal characters in the Waverly novels.

The Engineer of the Charleston and Hamburg (S. C.) rail road, has reported that the whole road is under contract, except about three miles nearest Hamburg; and to be completed by the month of November. He thinks the whole road will be ready for business by the first of January next.

At Newcastle, Eng. on the 25th of January, a curious experiment was tried. A piece of meat, a haddock, and a loaf of bread, were sent up to the air, by means of a paper kite, and, after remaining at a considerable height for an hour, it was found that the fish and meat were putrid, and the bread was filled with animalcule.

Seventy-nine packages of silk goods taken from the pirates who burned the ship Tuscs, have arrived at Boston in the brig Garnet from Cadiz.

Letters from Washington state, that on Tuesday last, the celebrated case of Arredondo against the United States—being the claim for the land of Alachua in East Florida—was finally decided by the Supreme Court in favor of the claimants.

The Virginia Conference of the Methodist Episcopal Church, met in Norfolk on the 23d ult. and adjourned on the 2d inst. Bishop Hedding presided. The reports from the district circuits and stations, show an increase of 2225 white members, and a decrease of something like 934 colored members, within the past Conference year.

ARCH STREET THEATRE.

MR. COYLE'S BENEFIT.

Miss Rock will appear as Letitia Hardy.

The Philadelphia Nine Head will appear on the stage and play a variety of airs.

The celebrated Horse Top Gallant will be introduced on the stage.

THIS EVENING, *March 24, 1832.*

Will be presented the elegant Comedy of

BELLE'S STRATAGEM.

Letitia Hardy, with songs, ... Miss Rock.

After which a grand Civic Procession, in which the Vicissitudes of Philadelphia will be prominently represented.

Jacky Hornpipe, Mr. Gay—Stock Reps, Mr. Beckley—Comic Song, Mr. Hill—To conclude with

JOCKO; or the Ape of Brazil.

Jocko, ... Mr. Coyle.

☞ Mr. E. Forrest will appear on Monday. ☜

CHESNUT STREET THEATRE.

LAST NIGHT BUT THREE OF NAPOLEON.

On which occasion, in compliance with numerous requests for that purpose, it will be performed IN FIVE PARTS.

THIS EVENING MARCH 24,

Will be presented

NAPOLEON!

Lieutenant Artillery! First Consul!! Emperor!!!

The Siege of Toulon. Bonaparte, Lieut. Artillery, Mr. Rowbotham.

Mount St. Bernard, 1800. Bonaparte, First Consul, Mr. Rowbotham.

Warsaw, 1806. Attempted Assassination of Napoleon. Grand entry into Vienna, and review of the French army. Napoleon, Emperor of the French, and King of Italy, Mr. Rowbotham.

The Kremlin, with Moscow in Flames.

St. Helena, 1821. Napoleon, Exile. Mr. Rowbotham.

BY M. THOMAS,

No. 87, Chesnut Street,

Pawnbroker's Sale of Unredeemed Pledges.

ON Monday morning, March 26, at one o'clock precisely, will be sold at the auction store of M. Thomas, No. 87 Chesnut street, a large and general assortment of gold and silver watches, jewellery, and fancy articles.

Consisting of 125 gold, silver and composition watches; the gold watches consist of 4 quarter patent levers, gold repeating double hunting case gold watches, jewelled with gold dials; the silver watches comprise the best quality double case English watches in heavy cases; other patent levers and Pinne watches; a few single case do.; also 2 musical clocks.

JEWELLERY—A general assortment of gold watch chains, neck and guard do. gold seals and keys, a large number of breast pins and finger rings of pearl and gold; also, gold and pearl ear rings, bracelets, lockets and miniatures, curl heads, &c. 3 mother of pearl opera glasses, silver pencil cases, rings, pencils and desks; walking canes and umbrellas; surgical and mathematical instruments; one flut telescope; 2 quadrants; a pocket compass; 1 astronomical telescope and spy glass, violins, flutes, &c. several guns, pistols, daggers and guitars; also fishing rods, some of them with extra silver keys; razors in cases, and a few superior pocket-rules, and a variety of other articles.

N. B. The watches will be the first articles sold. The servant, fellowservant and other thieves, also the violins, flutes, &c. will be sold at 10 o'clock precisely. march 24—

Spring Goods.

STOKES & BUZBY, Respectfully inform their friends and the public generally, that they have taken the stand recently occupied by Wilson Dewees, at No. 220 Market street, where they have opened a general assortment of Spring Goods, some of which are

Saxonilas Blue, Black, Brown and Olive Cloths

Do. do. do. and Fancy colored Merino Cassimere.

Do. do. do. and other Flannels.

Black Bombazines and Bombazetts.

Extracted Chintzes and printed Muslin.

Plain and fancy Cambrics.

French Ginghams striped and plain, &c.

Black, Blue Black, Indigo, Marseilles, and Fancy Silk Handkerchiefs and Fancy Habit, &c. &c. &c.

Ladies' and Gentlemen's Cotton Hosiery.

Ladies' and Gentlemen's super Buckskin and Kid Gloves.

Do. do. Bandana and white cotton Hosiery.

Gentleman's white and black Silk half Hose.

Light Linen Lawns, Linen Cambrics and Hdfs.

Brown Table Linens and Drapery, &c. &c.

Plain and figured Swiss Muslin, Book do.

Cambric Jaconetts and Book Muslins, &c.

Jaconett and Book Muslin Ruffs.

4-4, 6-4 Bobbinett Muslin, &c. &c. &c.

Super white Italian Crape and Crape Mull.

Do. do. Gauze, &c.

Plain, colored and white Silk Sashes, &c. &c.

Do. do. White Mexico Shawls, &c. &c. &c.

India, Blue and Yellow Nankeens, &c. &c.

With a general assortment of HOSIERY AND DRY GOODS—all of which they invite their friends and the public to call and examine for themselves.

N. B. They wholesale and retail at the lowest prices—and will be pleased if persons do not call and look at their goods. march 24—3t

Hatters' Furs and Trimmings.

THE subscriber respectfully informs his friends and the public in general, that he has on hand the following articles, which he will sell on the most reasonable terms:

Beaver, Otter and Nutria Plush, Russia Hat Leather.

Beaver, Otter and Nutria Cone, do. Banding, Binding and Buckles.

Raw and Carded Cone, do. Banding, Binding and Buckles.

do. do. Russia do. Peelings, Braids and Cords.

Real wool, Camels' Hair, &c. Silk and Polished Leathers.

Spanish and Saxony Wool, Russia Sheep Skins.

Blocks, Boxes and Hatter's assorted colours. All orders from the country punctually attended to. RICHARD PRYOR, Jr.

march 24—3mos

Earthenware by the Package.

COOK & WRIGHT, No. 47 North Third Street, Sign of the Golden Coffee Pot,—Have just received per ship Lady Hunter, 350 crs. 50 packages of Earthenware, which they offer for sale by the package or jobbers, at the lowest cash prices. A general assortment of China, Glass and Queensware, where country merchants and others can be supplied at a short notice, at reduced prices. march 24—6t

McKOY.

ORIGINAL Brand and Scrap Cutter, White Smith, &c. No. 3 Tammany street, Northern Liberties, Philadelphia, continues to make and cut Brands and Stamps of all descriptions for Millers, Lumberers, Housekeepers, Smiths, &c. also Burnt Leather, for keys of all kinds made to order; running in iron, brass and steel, screw stocks, type and dies made and warranted.

N. B. Pierced Plates for marking Sacks, Bales, &c. cut to order as above. march 24—6t

ALMANAC.

1832.	SUN RISES.	SUN SETS.	HIGH WATER	MOON'S PHASES.
24 Saturday,	5 35	6 3	8 16	
25 Sunday,	5 33	6 5	9 6	
26 Monday,	5 32	6 6	9 55

THE CHEROKEE CASE.

Opinion of the Supreme Court, delivered by Mr. Chief Justice Marshall, January Term, 1832.

SAMUEL A. WORCESTER, vs. THE STATE OF GEORGIA.

[CONTINUED.]

The general law of European sovereigns, respecting their claims in America, limited the intercourse of Indians, in a great degree, to the particular potentate, whose ultimate right of domain was acknowledged by the others.—Thus was the general state of things in time of peace. It was sometimes changed in war. The consequence was, that their supplies were derived chiefly from that nation, and their trade confined to it. Goods, indispensable to their comfort, in the shape of presents, were received from the same hand. What was of still more importance, the strong hand of government was interposed to restrain the disorderly and licentious from intrusions into their country, from encroachments on their lands, and from those acts of violence which were often attended by reciprocal murder. The Indians perceived in this protection, only what was beneficial to themselves—an engagement to punish aggressions on them. It involved practically no claim to their lands, no dominion over their persons. It merely bound the nation to the British crown, as a dependant ally, claiming the protection of a powerful friend and neighbor, and receiving the advantages of that protection, without involving a surrender of their national character.

This is the true meaning of the stipulation; and is undoubtedly the sense in which it was made. Neither the British government, nor the Cherokees, ever understood it otherwise.

The same stipulation intered into with the United States, is undoubtedly to be construed in the same manner. They receive the Cherokee nation into their favour and protection. The Cherokees acknowledge themselves to be under the protection of the United States, and of no other power. Protection does not imply the destruction of the protected. The manner in which this stipulation was understood by the American government, is explained by the language and acts of our first President.

The fourth article draws the boundary between the Indians and the citizens of the United States. But, in describing this boundary, the term "allotted," and the term "hunting ground" are used.

Is it reasonable to suppose, that the Indians who could not write, and most probably could not read, who certainly were not critical judges of our language, should distinguish the word "allotted" from the words "marked out." The actual subject of contract was the dividing line between the two nations, and their attention may very well be supposed to have been confined to that subject. When, in fact, they were ceding lands to the United States, and describing the extent of their cession, it may very well be supposed that they might not understand the term employed, in indicating that instead of granting they were receiving lands. If this term would admit of no other signification, which is not conceded, its being misunderstood is so apparent, results so necessarily from the whole transaction, that it must, we think, be taken in the sense in which it was most obviously used.

So with regard to the words "hunting grounds." Hunting was at that time the principal occupation of the Indians, and their land was more used for that purpose than for any other. It could not, however, be supposed, that any intention existed to restrict the full use of the lands they reserved.

To the United States, it could be a matter of no concern, whether their whole territory was allotted to hunting grounds, or whether an occasional village, an occasional corn field, interrupted, and gave some variety to the scene.

These terms had been used in their treaties with Great Britain, and had never been misunderstood. They had never been supposed to imply a right in the British government to take their lands, or to interfere in their internal government.

The 3d article withdraws the protection of the United States from any citizen who has settled or shall settle on the lands allotted to the Indians for their hunting grounds, and stipulates that if he shall not remove within six months, the Indians may punish him.

The 6th and 7th article stipulate for the punishment of the citizens of either country, who may commit offences on or against the citizens of the other. The only inference to be drawn from them is, that the United States considered the Cherokees as a nation.

The 9th article is in these words: "For the benefit and comfort of the Indians, and for the prevention of injuries or oppressions on the part of the citizens or Indians, the United States, in Congress assembled, shall have the sole and exclusive right of regulating the trade with the Indians, and managing all their affairs, as they think proper."

To construe the expression "managing all their affairs," into a surrender of self-government, would be, we think, a perversion of their necessary meaning, and a departure from the construction, which has been uniformly put on them. The great subject of the article is the Indian trade. In relation to it, it could be quite reasonable that Congress should possess it. The Commissioners brought forward the claim, with the profession that their motive was, "the benefit and comfort of the Indians, and the prevention of injuries or oppressions." This may be true, as respects the regulation of their trade, and as respects the regulation of all affairs connected with their trade, but cannot be true, as respects the management of all their affairs. The most important of these, as the cession of their lands, and security against intruders on them, is it credible, that they could have considered themselves as surrendering to the United States the right to dispose of their future property, and the terms on which they should be made? or to compel their submission to the violence of disorderly and licentious intruders? It is equally inconceivable that they could have supposed themselves, by a phrase thus slipped into an article, on another and most interesting subject, to have divested themselves of the right of self-government in subjects not connected with trade. Such a measure could not be "for their benefit and comfort," or for "the prevention of injuries and oppression." Such a construction would be inconsistent with the whole of this and of all subsequent treaties; especially of those articles which recognize the right of the Cherokees to declare hostilities, and to make war. It would convert a treaty of peace covertly into an act, annihilating the political existence of one of the parties. Had such a result been intended, it would have been openly avowed.

This treaty contains a few terms capable of being used in a sense which could not have been intended at the time, and which is inconsistent with the practical construction which has always been put upon them; but its essential articles treat the Cherokees as a nation capable of maintaining the relations of peace and war, and ascertain the boundaries between them and the United States.

The treaty of Hopewell seems not to have established a solid peace. To accommodate the differences still existing between the state of Georgia and the Cherokee nation, the treaty of Holston was negotiated in July, 1791. The subsisting Constitution of the United States had been then adopted, and the Government having more intrinsic capacity to enforce its just claims, was perhaps less mindful of high-sounding expressions denoting superiority. We hear no more of giving peace to the Cherokees. The mutual desire of establishing permanent peace and friendship, and of removing all causes of war, is unreservedly avowed, and, in pursuance of this desire, the first article declares, that there shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the Cherokee nation.

The second article repeats the important acknowledgment, that the Cherokee nation is under the protection of the United States of America, and of no other sovereign whatsoever.

The meaning of this has been already explained. The Indian nations were, from their situation, necessarily dependent on some foreign potentate for the supply of their essential wants, and for their protection from lawless and injurious intrusions into their country. That power was naturally termed their protector. They had been arranged under the protection of Great Britain; but the acknowledgment of the British power in their neighborhood, and the establishment of that of the United States in its place, led naturally to the declaration on the part of the Cherokees, that they were under the protection of the United States, and of no other power. They assumed the relation with the United States which had before subsisted with Great Britain.

The meaning was that of a nation claiming and receiving the protection of one more powerful; not that of individuals abandoning their national character, and submitting as subjects to the laws of a master.

The third article contains a perfectly equal stipulation for the surrender of prisoners.

The fourth article declares, that "the boundary between the United States and the Cherokee nation shall be as follows: Beginning," &c. We hear no more of "allotments" or of "hunting grounds." A boundary is described between nation and nation, by mutual consent. The nature and character of each, after the ability to establish this boundary, is acknowledged by the other. To preclude forever all disputes, it is agreed that it shall be plainly marked by commissioners, to be appointed by each party; and, in order to extinguish forever all claim of the Cherokees to the ceded lands, an additional consideration is to be paid by the United States. For this additional consideration, the Cherokees release all right to the ceded land forever.

By the fifth article, the Cherokees allow the United States a road through their country, and the navigation of the Tennessee river. The acceptance of these grants is an acknowledgment of the right of the Cherokees to make or withhold them.

By the sixth article it is agreed on the part of the Cherokees, that the United States shall have the sole and exclusive right of regulating their trade. No claim is made to the "management of all their affairs." The stipulation has already been explained. The observation may be repeated, that the stipulation is itself an admission of their right to make or refuse it.

By the seventh article, the United States solemnly guaranty to the Cherokee nation, all their lands not hereby ceded.

The eighth article relinquishes to the Cherokees any citizens of the United States who may settle on their lands, and the ninth forbids any citizen of the United States to hunt on their lands, or to enter their country without a passport.

The remaining articles are equal, and contain stipulations which would be made only with a nation admitted to be capable of governing itself.

This treaty, thus explicitly recognising the national character of the Cherokees, and their right of self-government; thus guaranteeing their lands; assuming the duty of protection, and, of course, pledging the faith of the United States for that protection, has been frequently renewed, and is now in full force.

To the general pledge of protection have been added several specific pledges, deemed valuable by the Indians.—Some of these restrain the citizens of the United States from encroachments on the Cherokee country, and provide for the punishment of intruders.

From the commencement of our Government, Congress passed acts to regulate the trade and intercourse with the Indians, which treat them as nations, respect their rights, and manifest a firm purpose to afford that protection which treaties stipulate. All these acts, and especially that of 1802, which is still in force, manifestly consider the several Indian nations as distinct political communities, having territorial boundaries, within which their authority is exclusive, and having a right to all the lands within those boundaries, which is not only acknowledged, but guaranteed by the United States.

In 1816, Congress passed an act for promoting those humane designs of civilizing the neighbouring Indians, which had long been cherished by the Executive. It enacts, "that for the purpose of providing against the further decline and final extinction of the Indian tribes adjoining to the frontier settlements of the United States, and for introducing among them the habits and arts of civilization, the President of the United States shall be, and he is hereby, authorized, in every case where he shall judge improvement in the habits and condition of such Indians practicable, and that the means of instruction can be introduced, with their own consent, to employ capable persons, of good moral character, to instruct them in the mode of agriculture suited to their situation; and for teaching their children in reading, writing, and arithmetic; and for performing such other duties as may be enjoined, according to such instructions and rules as the President may give and prescribe for the regulation of their conduct in the discharge of their duties."

This act evidently contemplates the preservation of the Indian nations as an object sought by the United States, and proposes to effect this object by civilizing and converting them from hunters into agriculturists. Though the Cherokees had already made considerable progress in this improvement, it cannot be doubted that the general words of the act comprehend them. Their advance in the "habits and arts of civilization," rather encouraged perseverance in the laudable exertions still further to meliorate their condition. This act furnishes strong additional evidence of a settled purpose to let the Indians in their country by giving them security at home.

The treaties and laws of the United States contemplate the Indian territory as completely separated from that of the States; and provide that all intercourse with them shall be carried on exclusively by the Government of the Union.

Is this the rightful exercise of power, or is it usurpation?

While these States were colonies, the power, in its utmost extent, was admitted to reside in the crown. When our revolutionary struggle commenced, Congress was composed of an assemblage of deputies, acting under specific powers granted by the Legislatures, or conventions of the several colonies. It was a great popular movement, not perfectly organized, nor were the respective powers of those who were entrusted with the management of affairs severally defined. The necessities of our situation produced a settled conviction that these measures which concerned all, must be transacted by a body in which the representatives of all were assembled, and which could command the confidence of all. Congress, therefore, was considered as invested with all the powers of war and peace, and Congress dissolved our connexion with the mother country, and declared these United Colonies to be independent States. Without any written definition of powers, they exercised diplomatic agents to represent the United States at the several Courts of Europe; acted on the mediate treaties with them, and finally negotiated a definitive treaty with France. From the same necessity, and on the same principles, Congress assumed the management of Indian affairs: first in the name of these United Colonies, and afterwards in the name of the United States. Early attempts were made at negotiation, and to regulate trade with them. These not proving successful, war was carried on under the direction and with the forces of the United States, and the efforts to make peace by treaty were earnest and incessant. The Confederation found Congress in the exercise of the same powers of peace and war, in our relations with Indian nations, as with those of Europe. Such was the state of things when the Confederation was adopted. That instrument surrendered the powers of peace and war to Congress, and prohibited them to the States, respectively, unless a State be actually invaded, "or shall have received certain advice of a resolution being formed by some nation of Indians to invade such State, and the danger is so imminent as not to admit of delay till the United States in Congress assembled can be consulted." This restriction also gave the United States in Congress assembled the sole and exclusive "right of" regulating the trade, and managing all the affairs with the Indians, not members of any of the States: *Provided*, That the legislative power of any State within its own limits be not infringed or violated."

The ambiguous phrases which follow the grant of power to the United States, was so construed by the States of North Carolina and Georgia as to annul the power itself.—The discontents and confusion resulting from these conflicting claims, produced representations to Congress, which were referred to a committee, who made their report in 1787. The report does not assent to the construction of the two States, but recommends an accommodation, by liberal cessions of territory, or by an admission on their part of the powers claimed by Congress. The correct exposition of this article is rendered unnecessary by the adoption of our existing constitution. That instrument confers on Congress the powers of war and peace; of making treaties, and of regulating commerce with foreign nations, and among the several States, and with the Indian tribes. These powers comprehend all that is required for the regulation of our intercourse with the Indians. They are not limited by any restrictions on their free actions.—The shackles imposed on this power, in the Confederation, are discarded.

The Indian nations had always been considered as distinct, independent political communities, retaining their original natural rights, as the undisputed possessors of the soil, from time immemorial, with the single exception of that imposed by irresistible power, which excluded them from intercourse with any other European potentate than the first discoverer of the coast of the particular region claimed: and this exception long restricted those European potentates imposed on themselves, as well as on the Indians. The very term "nation," so generally applied to them, means "a People distinct from others." The constitution, by declaring treaties already made, as well as those to be made, to be the supreme law of the land, has adopted and sanctioned the previous treaties with the Indian nations, and, consequently, admits their rank among those Powers who are capable of making treaties. The words "treaty" and "nation" are words of our own Language, selected, in our history, and in our political transactions, for occasions, having each a definite and well understood meaning. We have applied them to Indians as we have applied them to the other nations of the earth. They are applied to all in the same sense.

Georgia herself, has furnished conclusive evidence that her former opinions on this subject concurred with those entertained by her sister States, and by the Government of the United States. Various acts of her Legislature have been cited in the argument, including the contract of cession made in the year 1802, all recognise and assert the pre-existing power of the United States to treat with the Indians, until that right should be extinguished by the United States, with their consent; that their territory was not within the limits of any State within whose chartered limits they might reside, by a boundary line, established by treaties; that, within their boundary, they possessed rights with which no State could interfere; and that the whole power, regulating the intercourse with them, was vested in the United States.—A review of these acts, on the part of Georgia, would occupy too much time, and is the less necessary, because they have been accurately detailed in the argument at the bar.—Her new series of laws, manifesting her abandonment of these opinions, appears to have commenced in December, 1828.

In opposition to this original right possessed by the undisputed occupants of every country, to this recognition of that right, which is evidenced by our history, in every change through which we have passed, is placed the charters granted by the monarch of a distant and distinct region, parcelling out a territory in possession of others, whom he could not remove, and did not attempt to remove, and the cession made of his claims by the treaty of peace.

The actual state of things at the time, and all history since, explain these charters; and the King of Great Britain, at the treaty of peace, could convey only what belonged to him. Out of these charters, the only one asserted by Georgia or read from the articles so often repeated in Indian treaties, extending to them, first, the protection of Great Britain, and afterwards, that of the United States. These articles are associated with others, recognizing their title to self-government. The very fact of repeated treaties with them recognizes it; and the settled doctrine of the law of nations is, that a weaker power does not surrender its independence—its right to self-government—by associating with a stronger, and taking its protection. A weak state, in order to provide for its safety, may place itself under the protection of one more powerful, without stripping itself of the right of government, and ceasing to be a State. Examples of this kind are not wanting in Europe. "Tributary and feudatory States (says Vattel) do not thereby cease to be sovereign and independent States, so long as self-government, and sovereign and independent authority is left in the administration of the State." At the present day, more than one State may be considered as holding its right of self-government under the guarantee and protection of one or more allies.

The Cherokee nation, then, is a distinct community, occupying its own territory, with boundaries accurately described, in which the laws of Georgia can have no force, and which the citizens of Georgia have no right to enter, but with the assent of the Cherokees themselves, or in conformity with treaties, and with the acts of Congress. The whole intercourse between the United States and this nation is, by our constitution and laws vested in the Government of the United States.

The act of the State of Georgia, under which the plaintiff in error was prosecuted, is consequently void, and the judgment a nullity. Can this court revise and reverse it?

If the objection to the system of legislation lately adopted by the Legislature of Georgia in relation to the Cherokee nation, was confined to its extra-territorial operation, the objection, though complete, so far as it respected mere right, would give this court no power over the subject. But it goes much further. If the review which has been taken be correct, and we think it is, the acts of Georgia are repugnant to the constitution, laws, and treaties of the U. States.

They interfere forcibly with the relation established between the United States and the Cherokee nation, the regulation of which, according to the settled principles of our constitution, are committed exclusively to the Government of the Union.

They are in direct hostility with treaties, repeated in a succession of years, which mark out the boundary that separates the Cherokee country from Georgia; guaranty to them all the land within their boundary; solemnly pledge the faith of the United States to restrain their citizens from trespassing on it; and recognize the pre-existing power of the nation to govern itself.

They are in equal hostility with the acts of Congress for regulating this intercourse and giving effect to the treaties.

The forcible seizure and abduction of the plaintiff in error, who was residing in the nation, with its permission and by authority of the President of the United States, is also a violation of the acts which authorize the Chief Magistrate to exercise this authority.

Will these powerful considerations avail the plaintiff in error? We think they will. He was seized and forcibly carried away while under the guardianship of treaties guaranteeing the country in which he resided, and taking it under the protection of the United States. He was seized while performing, under the sanction of the Chief Magistrate of the Union, those duties which the humane policy adopted by Congress had recommended. He was apprehended, tried and condemned, under color of a law which has been shown to be repugnant to the constitution, laws, and treaties of the United States. Had a judgment, liable to the same objections, been rendered for property, none would question the jurisdiction of this court. It cannot be less clear when the judgment affects personal liberty, and inflicts disgraceful punishment, if punishment could disgrace when inflicted on innocence. The plaintiff in error is not less interested in the operation of this unconstitutional law than if it affected his property. He is not less entitled to the protection of the constitution, laws, and treaties of his country.

It is the opinion of this court that the judgment of the Superior Court for the county of Gwinnett, in the State of Georgia, condemning Samuel A. Worcester to hard labour in the Penitentiary of the State of Georgia, for four years, was pronounced by that court under color of a law which is void, as being repugnant to the constitution, treaties, and laws of the United States, and ought, therefore, to be reversed and annulled.

Evening Post.

☞ Containing, perhaps, a larger amount of reading matter, than is furnished in any other paper; its weekly contents are written, selected and prepared expressly for this, and without reference to any other weekly or daily publication.

Communicated.

The first number of a new literary and scientific journal appeared this week, which promises well. It is called the Atlantic Journal and Friend of Knowledge. It is a kind of cyclopedic journal and review upon a variety of useful or learned subjects. This number is now before us. It contains 40 pages in 8vo. in two columns, with two figures, the Balm and the Mammoth Caves, with no less than 26 articles on History, Geology, Agriculture, Botany, Zoology, Mineralogy, Commerce, etc.—the whole original. Some appear to be very curious, such as the history of China before the flood, the Atlantic Nations of America, Letters to Champollion and Arvier, the Caves of Kentucky, and the plan of a new Fishing Voyage. It has also short Reviews of 32 American works and offers three Literary prizes of $50, $25, and a perpetual subscription to the Journal. The Editor is Prof. Rafinesque, who has often written for the Saturday Evening Post, and appears well calculated to carry on this undertaking. It is published at Dobson's Bookstore, at only one dollar per annum, or two dollars for twelve numbers. It is begun as a quarterly periodical, but it is intimated may become a monthly publication hereafter.

There were 129 deaths in this city during the week ending on the 17th instant—11 of which were by consumption of the lungs, 6 by typhus fever, 9 by scarlet fever, 10 by measles, 5 by mania a potu, and 5 by variolold. Of the whole number, 66 were under the age of five years, 31 under the age of two years, and 31 less than one year of age.

The Liverpool, Pa. Mercury, relates the following curious incident;—A singular circumstance occurred in the neighbourhood of this village in the early part of this week. A Mr. Howe threw a few shovels full of warm ashes into a bucket of water, in order to bathe his feet, and after performing the operation retired to bed; (though while bathing he felt considerable pain, and also during the night.) In the morning he discovered that the skin was eaten off his legs and feet from the effects of the ashes, and the flesh indicated every appearance of a mortification being about to take place; medical aid was immediately called in, the young man appears to be on the recovery.

A Paris paper states, that a late ball given by the prefect of Marseilles, the company were served with tri-coloured ices. Every individual was in raptures at the ingenious device, and lauded, in the highest terms of praise, the patriotism of the prefect. Next morning, however, their enthusiasm was changed into absolute horror, by finding themselves attacked by the cholera morbus. The ices had been colored with indigo.

A proposition is now before the legislature of this state for the incorporation of a Guarantee company in this city, the business of which will be, to discount notes on the faith of the drawer only, charging one fourth of one per cent. for the guarantee, besides the lawful interest. The mode of operation and the advantages of the company, are thus illustrated:

A man, John Smith for instance, sells $500 worth of goods to John Doe, who gives his note payable to himself for the amount. Smith offers his note to the Guarantee Company for discount; they say they don't know John Doe. Their charter obliges them to ascertain his responsibility by enquiring of his references. If the inquiry be satisfactory, the company take the note of Smith, charging him ½ per cent a month interest and guarantee. Smith does not endorse the note, but by allowing the quarter per cent guarantee, is at once done with it. A company of this kind, with an adequate capital, would are seldom even looked at by a board of directors, but which are not a whit less safe. Mechanics, small traders, and all others who could furnish satisfactory references, would be enabled to do business with increased facilities. It would break up the system of endorsements, which occasions so much unmerited distress, and be in other respects of vast advantage to the really industrious and deserving.

The House of Representatives of Mass. have passed to be engrossed, after a long and animated debate, a Militia Bill. The bill provides that there shall be but one company parade a year, and that by companies, in the afternoon of the first Tuesday in May. Each company is then to be inspected, drilled and disciplined. Compensation is provided of $10 per annum to an Aid to a Major General; $10 to a Brigade Major; $10 to an Adjutant of a Regiment; and $5 to an adjutant. The law paying the amount of a poll tax to each private who keeps himself perfectly equipped, and does duty, is repealed.

About the first of January a Portuguese ship, Rosalina, was driven ashore near Cowes, she was laden with goods and specie, but had no papers. While the goods were landing one of the crew was observed to throw a box overboard with the evident intention of causing it to be lost; it was taken up and found to be marked Rising Star Tortoisk. Suspicions were excited, which were confirmed, when on emptying the ship, parts of her were found to be fitted up as prisons and furnished with chains, &c. as used on board of slaving and piratical vessels.

We learn from the Fourth Annual Report of the Board of Directors of the Boston Seaman's Friend society, that the number of seamen belonging to the United States, estimated with as much accuracy as was possible, is 192,000---of whom there are in the foreign trade, 50,000; in the coasting trade, in vessels of nearly or over 100 tons burthen, 25,000; in coasting vessels, of less than 50 tons burthen, 5,000, in the codfishery, 10,000; in the whale fishery 5,000; in steam vessels, 1,000; in the United States Navy, 6,000.

A convict in the State Prison in Massachusetts is allowed daily one pound of beef or twelve ounces of pork, No. 1. Ten ounces of rye and ten of indian meal, and three quarters of a gill of molasses, and two and a half bushels of potatoes, two quarts of vinegar, four quarts of salt, two ounces of black pepper, and two quarts of rye or barley for coffee, for every 100 convicts.

In Rhode Island, nothing, not even bread or black broth are allowed the imprisoned debtor until he has sworn out of jail, and then the creditor has the humane legal right to detain him in prison at will, by paying one dollar a week for his support.

The National Intelligencer gives the following sketch of the provisions of the bill for re-chartering the Bank of the United States, reported in the Senate, on Tuesday, the 13th inst. by Mr. Dallas:—

Sec. 1. Provides for a renewal of the charter for fifteen years.

2. Directors authorized to appoint two or more officers to sign and countersign notes below one hundred dollars.

3. No notes (under $50) to be issued from the Bank or any Branch, unless they be payable at the bank or branch whence issued, except at the request of the persons to whom they are delivered.

4. The notes of the Bank, though payable at a particular place, shall be received by every branch in payment of balances due by and State Bank.

5. The Corporation prohibited retaining any real estate, other than for banking purposes, longer than two years, under a penalty of $10,000 in each case.

6. Not more than two branches to be established or retained in any State, and not more than one, except in the States in which they now exist, without the assent of the Legislature.

7. Bonus of $500,000, to Government, payable in the three first years, in three payments.

8. Laws supplementary to original act to continue in force

CITY POLICE.

Reported for the Saturday Evening Post.

SATURDAY, March 17.

Yo sone, an owner—Thomas Dilmor, a sturdy looking sailor, with "long tarry whiskers," and a most desperate frown on his physiognomy, reminding one of the days of Captain Kidd, and his murderous crew, was brought up this morning, charged as a direful misdemeanant, committed last evening on board the brig Bartley, lying at one of our wharves. Thos. it seems, left the brig in the morning, on a land cruise. He also several good-natured grafts on his way, and was invited upon to put more water aboard than his casks would hold. In sober parlance, he returned to his vessel outrageously *drunk*. Here, instead of quietly tumbling in his bert, he called the whole crew together, and insisted upon a spree. Remonstrance was in vain—he vowed on his hour, that no one should hind it, and having *commanded* it captain to withhold the necessary, he commenced a heavy rope. The crew did not relish the style of Tom's orders, and instead obeying, he gave him to understand he must go below. Tom refused, and an altercation ensued which resulted in his being seized in the custody of a land shark. He was fined and discharged.

A watchman deposed, that when going from roll call last evening, he heard the cry of murder in Mr. Cavenaugh's house, out Market-st. He entered it after the ceremony of springing his rattle and found one Timothy on the floor, drunk and bloody, and Mr. Cavenaugh on the top of him engaged in that instrumenting of all exercises, *pummelling*. He took him prisoner, and conveyed him to the watch-house, in doss which he had infinite trouble, owing to the rage of his drunken foe.

Mr. Cavenaugh stated that the prisoner came into his house, and asked for drink. As he was already drunk, he refused to give him any, at which the prisoner grew exceedingly wroth, with "his eyes flashing fire, and his whole frame heaving with inward commotion," he told deponent he should do either one or the other, give him liquor, or *take a trapping*. Deponent thought the prisoner not able to whip him in fair fight, and not being disposed to be waylaid from the straight line of duty, told prisoner he should not have the rum. Then the prisoner commenced abusing deponent, in a most savage style; eventually he seized him, and toppled him over like a child. Deponent then mustered up all his strength, and got advantage of the prisoner, which caused the prisoner to cry murder. Deponent was sorry the watchman so soon, as he honestly thought he had not punished the prisoner half as much as he deserved.

The prisoner told a story differing very essentially in every particular from the above. He said that when he asked Cavenaugh for a "gin cock tail" Cavenaugh gave it him without a moment's hesitation. Prisoner laid down a half dollar to pay for it. When Cavenaugh handed him the change, he found there were three cents deficient. He present and these were not enough. "O" said Cavenaugh, "it's of no consequence, you will drink that out before you go!" Deponent was not sure of that, however, and he insisted upon his full change. This seemed to vex Cavenaugh, as he gave it very reluctantly. Prisoner then went away, to do some business; after some time he returned, thinking he would get another small glass with his odd three cents, as they seemed to lay very uneasy in his pocket. When he went in he found Cavenaugh abusing a woman. Instantly a glow of indignation pervaded his body, and he resolved at all hazards, and under all circumstances, to be the lady's champion. He thought it nothing short of brutality in Cavenaugh to threaten to strike the lady, and he told him to his teeth, he was "worse nor a heathen in manners, and behind a savage in breedin." Cavenaugh at this came at him like a savage—he knocked deponent down, and jumped on his breast, and but for his crying murder, he verily believes he would have suffered prodigiously. As it was, his two eyes were black, and his breast and ribs exceeding sore.

As the lady did not appear, to draw the line between these contradictory statements, it seemed impossible to decide which of the two was the offender. Strict justice was probably done both, by a dismissal of the case.

Monday.—On entering the Police Office this morning, we were sorry to see so many of the unfortunates within the pen for subjects for a watchman's special care; and though Patrick and Sheila had been very boisterous, and shown some *foul airs*, we did not notice that any of the crew could claim relationship to their family. The judicious dispenser of justice began the work of retribution, and making but a short examination to the captain, soon was produced a colored culprit from the *fo'cas'l* neighborhood of Hurst street, named *Len Stephens*. His crime, along with that of drunkenness, was that of disturbing his colored friends, during the time of their applying in the throne of mercy for grace to keep them "*from evil*." This language was so discordant with the feelings of the elders that they kept *watch* over him, until the *watch* arrived, when notwithstanding his vociferating no watch should remove him, when the labelled lad answered he soon was convinced it was a go. The officers having seen him before in some unpromising state with their good word he was placed in safe keeping until wanted.

Next were marched up a baker's good dozen of every hue under the sun, and of size, shape, and tare, that Solomon, had he presided, would not have been able to graduate them. The watchman captured these in a cellar in Water street, where, to the great discomfiture of his olfactory organs, he had to enter to make peace. The place was found an errant cellar, and the watch, thinking that some of them had been not long in the shell, took the whole bunk. His Honor said they should breathe the pure air in Broad street. Their names would require all the letters of the alphabet to compose.

Tuesday.—This morning only two prisoners were compelled to face his Honor. The first—Patrick Mulehulty—said he had been working at the Washington Canal; but not enough, as he had no money, and, he believed, he was *fevered* in this city on his taking a glass too much.—The watchman came up with him in Water street, where, not being able to designate his place of lodging, very kindly found one for him. He was fined.

The next was a German, of the name of John Ring, from Miles Alley. Neither he nor his wife could speak English, but by means of an interpreter, his House was informed, on the word of his wife, that he was a regular drunkard—that they had six children lying sick in the house, and that last night his conduct was so bad, that between 11 and 12 o'clock, she had to call in the watchman. When he arrived, Johnny had made for bed—this was no excuse. A female friend came with the wife, and was proceeding to give her tale in English version, but his Honor had heard enough, and sent him to prison.

His looks were of the most forbidding cast, and when he knew his fate, he gave a glance at his accuser, that would not require a witch to say beamed not in love.

About 12 o'clock, constable Manderfield brought to the office, in a cart, a savage looking Irishman, who, for two days had been running about the city, bearing in his hand a naked knife, and uttering horrid imprecations against some real or imaginary enemy. He was evidently laboring under mental derangement. The officer met with him in South street, and seeing the danger to which the citizens were exposed, he proceeded by gentle means to arrest him. The prisoner, as soon as he was arrested, turned on the constable before he was on his guard, and threw him down.—He then jumped upon, and fastening his teeth in the officer's cheek, bit off as much flesh as he could compass. With great difficulty, and not until the maniac had been severely wounded, was Mr. Manderfield released from his perilous situation. When brought to the office, medical aid was procured, and he was sent by the Mayor to the hospital.

Wednesday.—M'Allister brought up, this morning, a ten of blacks, whom he had found making a disturbance in a house of questionable reputation, in the lower part of the city. He had no specific charge to make against them, excepting that he found them quarrelling. As is usual in such cases, there was no possibility of finding out the guilty person, so each committed the other. One of the male prisoners was particularly severe upon Judy, the female, to whose charge he ascribed all the celebrated virtues, for which Xantippe's was so justly celebrated. The whole posse was committed for thirty days. A most righteous sentence.

Brayley, a watchman, introduced a grey-headed veteran, apparently upwards of *sixty years* of age, in a most uncouth dishabille. His appearance was that of a most tottering over the grave. His face was disfigured with blood, and his eyes bruised, as if in a severe combat. He was without coat or hat—a most loathsome object, and yet one justly deserving of commiseration.

He had been found strolling the streets about 12 o'clock last evening.

The prisoner stated that on Saturday last he came from Cincinnati, where he owned a respectable property. On his way he had escaped from a severe attack of a bilious pleurisy. He took temporary lodgings with a friend in Wood street. Last evening, the old neighbor called and took him out to drink. His resistance were "pretty deep," and when his friend and he separated, the streets seemed to be turned upside down. The houses stood on their end up, and every thing appeared to be approaching final dissolution, as the pumps and awning posts, ever and anon, tumbled against him and toppled him over. He strolled about among the rows, until he was found by the watch, who kindly took him to a place of safety. He was fined and discharged.

A young fellow calling himself John Smith—a dubious appellation—was arrested last evening at Erwin's auction store, on suspicion of lightening a gentleman's pocket of its contents, in which among other things were a check, a pocket book, and several hundred dollars in good bank notes. The gentleman felt the thief make the attempt, and putting his hand immediately to his back, received a slight cut on the finger, from a penknife used in cutting off the skirt of his coat. The thief immediately dropped the pocket book, and sought to escape detection in the crowd, but the doors being instantly closed, he was captured and taken to the watchhouse. The Mayor committed him for trial. (The same day Smith was tried in the Mayor's Court, found guilty, and sentenced to the Penitentiary.)

Thursday.—Mr. Van Beck, a watchman, brought up this morning a young man of genteel appearance, named Francis Pepper, who he had arrested under suspicious circumstances, in Mr. Emerick's dwelling, in Sixth street near Arch. He was bound over to appear at court.—Another party, implicated in the same transaction, was sent to the House of Refuge.

It appears that the annual aggregate of the French pension list is about twenty millions of dollars. The amount for military services alone is about fifteen millions of dollars. The minister of War stated that there were 30,000 officers on the Books, as pensioners. Among the civil pensioners is *the sister of Robespierre*. Her pension was granted by the Directory, and has been paid by all the subsequent governments. There is also one to the nurse of the King of Rome, which has in like manner been respected in all subsequent changes.

Reported for the Saturday Evening Post.

CITY COUNCILS.

Thursday Evening, March 22d.

Common Council.—Mr. Barth presented a petition from Paul Beck, Jr. representing that the Erector's shambles before his dwelling at High and Tenth streets, are an annoyance, and an infringement on his rights as a citizen, inasmuch as they extend several feet on the side walk—and praying that Councils may remove the same, by erecting more market houses. Referred to Committee on Markets.

Petitions were presented by Messrs. Beans and Matthews, praying that Ashmead alley and Beach alley, from the Schuylkill, may be paved, and Fourth street between Market and Arch, repaved. Referred to Paving Commission.

Mr. Patterson presented a petition from sundry farmers of Chester county, occupying stands for the sale of country produce in Second street below High, representing that the recent ordinance of Councils which requires the removal of the benches upon which they put up beef, virtually prevents them from bringing meat to market, as it is impossible for them to cut it up in their wagons, and praying that their former privileges may be restored. Referred to Committee on Markets.

Mr. Parr presented a memorial signed by all the Fire Engine and Hose companies located in the city, excepting Engine and Hose Company, praying for an additional appropriation to defray their expenses. Referred to Committee on Fire Companies.

Mr. Hoar's petition from the Washington Engine company, praying for an appropriation for the erection of a Fire Bell in the south-western part of the city. Referred to Committee on Fire Companies.

Mr. Lewis a remonstrance from citizens against the extension of the Market House in High street. Laid on the table.

A communication was received from the Mayor, enclosing another from the City Commissioners, stating that an application had been made by the city watchmen for an increase of wages. The Mayor and City Commissioners are of opinion that the prayer should be granted, expressed the conviction that the prayer should be granted, expressed the conviction that the present wages were "pretty deep," and when his friend and he separated, the streets seemed to be turned upside down. The houses stood their end up, and every thing appeared to be approaching final dissolution, as the pumps and awning posts, ever and anon, tumbled against him and toppled him over. He strolled about among the rows, until he was found by the watch, who kindly took him to a place of safety. He was fined and discharged.

A young fellow calling himself John Smith—a dubious appellation—was arrested last evening at Erwin's auction store, on suspicion of lightening a gentleman's pocket of its contents, in which among other things were a check, a pocket book, and several hundred dollars in good bank notes. The gentleman felt the thief make the attempt, and putting his hand immediately to his back, received a slight cut on the finger, from a penknife used in cutting off the skirt of his coat. The thief immediately dropped the pocket book, and sought to escape detection in the crowd, but the doors being instantly closed, he was captured and taken to the watchhouse. The Mayor committed him for trial. (The same day Smith was tried in the Mayor's Court, found guilty, and sentenced to the Penitentiary.)

Tuesday.—Mr. Van Beck, a watchman, brought up this morning a young man of genteel appearance, named Francis Pepper, who he had arrested under suspicious circumstances, in Mr. Emerick's dwelling, in Sixth street near Arch. He was bound over to appear at court.—Another party, implicated in the same transaction, was sent to the House of Refuge.

It appears that the annual aggregate of the French pension list is about twenty millions of dollars. The amount for military services alone is about fifteen millions of dollars. The minister of War stated that there were 30,000 officers on the Books, as pensioners. Among the civil pensioners is *the sister of Robespierre*. Her pension was granted by the Directory, and has been paid by all the subsequent governments. There is also one to the nurse of the King of Rome, which has in like manner been respected in all subsequent changes.

From Harrisburg, March 10.

Senate.—The Girard Bank bill and the Moyamensing Bank bill, passed a third reading, this morning. The Philadelphia and Reading rail road bill, passed through committee of the whole. The Shamokin Dam resolution was passed over. "The Great Bend and Delaware rail road bill," was in committee of the whole—the 1st section having been amended. The Improvement bill is in the order for to-morrow.

House of Representatives.—An act to incorporate a Bank at Wellsborough, Tioga county, has passed the House, and sent to the Senate.

This morning an act to incorporate the Manufacturers', Mechanics', and Traders' Saving Fund Society, in the districts of the Northern Liberties and Kensington, passed; also, a bill to incorporate the Philadelphia Exchange company, passed, and was sent to the Senate, and before the House adjourned returned with information that it had passed the Senate without amendment.

A resolution for the final adjournment of the Legislature after some discussion was postponed one week. The House reconsidered a vote given on Saturday negativing the bill to empower the commonwealth to perfect the title to certain tracts of land, late the estate of John Nicholson, on which the commonwealth has a lein, and referred the bill again to the Judiciary committee.

Congress.—The Senate did not sit on Saturday.

In the House of Representatives, Mr. Bell, from the Committee on Indian affairs, reported bills authorizing the appointment of an agent to reside among the Choctaw Indians, west of the river Mississippi, in pursuance of the treaty of 1830—in addition to the several acts regulating the intercourse with the Indian tribes—and to provide for the appointment of three Commissioners to treat with the Indians, and for other purposes.

Mr. White, of New York, from the select Committee on Coins, made a report accompanied by a bill concerning the gold coins of the United States. Three thousand extra copies of the Report, were, on motion of Mr. Patton, directed to be printed. Mr. White, from the same Committee, reported a bill regulating the value of certain foreign coins within the United States.

Mr. Johnson, of Kentucky, from a Select Committee, reported a bill to ascertain all the losses of property at Detroit, and the adjacent country, during the late war. Mr. Wickliffe submitted a resolution directing the Committee on private Land Claims, to enquire into the conduct of the Commissioner of the General Land Office, touching an official request made to that officer by the Committee on the Public Lands.

The res

A merrier man,
Within the limit of becoming mirth,
I never spent an hour's talk withe

NAUTICAL PHILOSOPHY.

One night came on a hurricane—
The sea was mountains rolling—
When Barney Bunting turned his quid,
And cried to Billy Bowling—
"There's a sou'-wester coming Billy.
Don't ye hear it roar now?
Lord help 'em, how I pities them
Unhappy folks on shore now.

"Foul-hardy chaps as lives in towns,
What dangers they are all in—
At night lie quaking in their beds,
For fear the roofs will fall in—
How creatures, how they cavies us,
And wishes I've a notion,
For every good luck in such a storm,
To be upon the ocean.

"Now, as to them that's out all day
On business from their houses,
And lite at night are walking home,
To cheer their babes and spouses,
While you and I, upon the deck,
Are comfortably lying,
My eyes! what lives and chimbly tops.
About their heads are flying!

"Yes and 'a Bill, have often heard,
How folks are ruined and undone,
By overturns in carriages,
By thieves and fires in London—
We've heard what ruks all landsmen run,
From Noblesse to tailors,
Then Billy, let's bless Providence
That you and I are sailors."

Hoppner.—Every one who knew Hoppner must recollect that he was of great *irritable*. A wealthy stock broker drove up to his door, and two carriages emptied into his hall in Charles street, a gentleman and lady, with five sons and seven daughters, all samples of *pa* and *ma*, as well-fed and as coy bred and comely a family as any within the sound of Bow-bell. "Well, Master Painter," said he, "here we are—a baker's dozen; how much will you demand for painting the whole lot of us—prompt payment for dispatch?" "Why," replied the irritable painter, who might be likened to a superannuated elephant, "why, sir, that will depend upon the dimensions, style, composition, and"—"Oh! that is settled," quoth the enlightened broker, "we are all to be touched off in one piece, as large as life—all seated upon our lawn at Clapham, and all singing 'God save the King.'" "These things," said Hoppner, relating the circumstance to his friend and crony, the critic-poet Gifford, "these things, and be hanged to you scribblers! are part and parcel of the delectables of portrait painting."
—*Library of the Fine Arts.*

Transcription.—The following improvements upon our language, and the mode of executing process, have been furnished us for publication.

A bailiff had just confined a prisoner in jail, to await his trial for forging a Bankbill—being asked by an acquaintance, what he thought would be the result of the trial—He replied—"Well, I'll tell you presarly.—The *Felicifer* will have to send for the *Cashier* of the Bank—*en if* so for the *Cashier* don't attend Court, the *fellier* will come clear. But if the *Felicifer* sends for the *Cashier*, and the *Cashier* attends, he'll be condemned, without any *compote whatsomever*."

That must have been a twin brother of the officer who went to make a levy, which he executed with the following legal solemnities—Laying his execution very formally on a saddle, says he, "*I seed on you, in the name of the State*—Bridle, *I seed on you, in the name of the State*—Then turning to a pair of martingales, the name of which he did not know—says he, "*Latin forked piece of leather, I seed on you, in the name of the State!*"—"Old you! Oh! yes! Oh! yes! Saddle, bridle, and *little forked piece of leather*, I now order you upon this Execution and summon you to be and appear at my *into ground*, on Saturday the 10th of this present month, to be *executed* according to law. Herein fail not, or you will be proceeded against for contempt of the *constable*."—*Federal Union.*

Oysters.—The Athenians held Oysters in great esteem. They were not common in Rome, and consequently fetched a good price; yet Macrobius assures us, that the Roman Pontiffs never missed to have them every day on their tables. From the fourth century to the reign of Louis XIV. they were nearly forgotten; but they soon came again into vogue, and from that time have kept up their reputation.—Gastronomers, we know, can swallow three or four dozen before dining, and then sit down to eat heartily, and perhaps better than if they had not satisfied from them. They clear their stomach from accidental phlegm, increase the gastric juices, and by their natural coolness condense the air which may be fixed in the organs of digestion.—When good, they are wholesome, but poisonous when bad.

A home thrust.—We find the following dolorous complaint, in the form of a communication, published in the St. Louis (Missouri) Republican:

Massa Printer:—I am de most sorry poorest de coperation for any one to say but as what it is very jurious to de moral of de city: de Niger may go to meeting, hollo, yell and eat all kind a capers all nite long, why not gran jury take notice dat. What harm for de poor Niger to dance? Tell you what massa printer, spose de corporation make law for keep white gentemen from Niger ball, do n dere be no fuss—but de white gentemen no sooner hear de Niger fiddle can do nuttin to de ball, den de nopolize all de putty gal, and de brack gentemen have to dance wid de ugly old women —spose de Niger ball no good, den you no get de white gentleman to take dere sweet hart and no make fus—*some of de gran jury know very well dese things are true.* Sambo.

A strong against Mice.—sir. Macdonald, of Scalpa, in the Hebrides, having some time ago suffered considerably by mice, put at the bottom, near the centre, and the top of each stack, as it was raised, three or four stalks of wild mint, with the leaves on, gathered near a brook in a neighboring field, and never after had any of his grain consumed. The mice ran about the bottom of the stacks, but the grain and other articles kept in store, and often injured by mice, and with equal effect, by laying a few leaves, green or dry, on the articles to be preserved.

A Frenchman having a violent pain in his breast and stomach went to a physician for relief. The doctor inquiring where his trouble lay, the Frenchman, with *wholesome* accent, laying his hand on his breast, said, "Vy, sare, I have one very bad pain in *my portion intieure*," (meaning his chest.)

A negro with an enviable pouting lip, flat nose, in fact of real Guinea stamp, whose phiz looked more like a caricature than an original, sat under a fall fishing. A mischievous boy, attracted by the comical appearance of Cuffee, procured a fresh quid of tobacco, and dropped it directly on the poor fellow's lip.

"What you bout dat?—Ya ya; what ya do?—I had ya bes jis come up dis minit, I tell you, and look boff ya eyes tum next lord o July, you young scoundrel. I no take it off, no, for I take it rite strate and show it to your fader.

A high-born Pig.—In the course of the searches for those unclean animals, the swine which were found to pollute the air and endanger the health of the two-legged adjoining inhabitants, a very stately sow was discovered in a house some six or seven stories up, belonging to and possessed by a "boy of the Emerald Isle." The size of the beast surprized the visiting gentlemen, and really threatened hazard to the footing. "Tell me," says he, "how did you contrive to get this great beast up stairs?" "Av, faith, and I can do that aisily," quoth Pat, "for by the powers, he's never been down yet."

Extraordinary Wager.—Mr. Unity, the venerable postmaster of Lanesboro, undertook, for a wager, to travel from that town to Lutmore, in an oyster barrel, drawn by a pig a badger, two cats, a goose, and a hedge-hog. His head was decorated with a red nightcap, and he drove with a whip similar to a pig-driver's. He is in his 97th year.—*Belford Chronicle.*

In the window of a barber's shop in Goodman's Fields is exhibited a professional announcement, in writing, which for its poetical excellence, we give in its genuine form and purity.

I. SHAVE.
I those way trics locks:
I shaves for a penny,
Never cuts any;
I bleeds,
Pulls teeth—and cups
Below I feeds
And trains and breeds
Young bull-dogs, and all other sorts of *gentlemens* pets.—
And
I blacks shoes
For Christians—besides Jews.

Nepenthum.—The blossoms of this plant have been observed to emit electric sparks towards evening, which was first noticed by the neighbor of the illustrious Linnæus, who could not credit the account until he had seen the phenomenon. It is seen most distinctly with the eye partly closed.

Alpine Farmers.—The farmers of the Upper Alps, though by no means wealthy, live like lords in their houses, while the heaviest portion of their labour which is performed, devolves upon the wife. It is no uncommon thing to see a woman yoked to the plough with an Ass, while the husband guides it. He accounts it an act of politeness to lend his wife to his neighbor who is oppressed with work, and the neighbor reciprocates the favor when needed.

Cabriolets.—A correspondent of the New York Gazette proposed a few days since, the introduction of cabriolets into that city. The suggestion was a good one, and the same arguments may be used in favor of their use here. There are thousands of these conveniences in Paris and London has begun to use them very extensively—They are handier than a hackney coach, for one or two persons, and as they cost less than a carriage, and require but one horse, the rate of fare would be lower, and they would of course be oftener resorted to. A cabriolet could take a party of two to a ball, to the theatre, on an excursion out of town, or any where, for half the charge of a hackney coach. They are comfortable, and have conveniences to shut out the weather. We have no doubt that an enterprising man who would set up a cabriolet stand, with good vehicles and accommodating drivers, would be amply rewarded.—*Boston Transcript.*

"I'll *stake* my heart," ejaculated a romantic son of a butcher, to his dulcinea, who replied, "Your steaks are not so tender as your father's. I assure you."

METAPHYSICS
Specimen of a Collegiate Examination.

Professor. What is a salt box?
Student. It is a box made to contain salt.
Prof. How is it divided?
Stud. Into a salt box, and a box of salt.
Prof. Very well allow the distinction?
Stud. A salt box may be where there is no salt, but salt is absolutely necessary to the existence of a box of salt.
Prof. Are not salt boxes otherwise divided?
Stud. Yes, by a partition.
Prof. What is the use of this division?
Stud. To separate the coarse salt from the fine.
Prof. How? think a little.
Stud. To separate the fine salt from the coarse.
Prof. To be sure, to operate the fine from the coarse: but are not salt boxes otherwise distinguished?
Stud. Yes, upon possible, positive, and probable.
Prof. Define these several kinds of salt boxes.
Stud. A possible salt box is a salt box yet unsold, in the joiners hands.
Prof. Why so?
Stud. Because it hath not yet become a salt box having never had any salt in it; and it may probably be applied to some other use.
Prof. Very true; for a salt box which never had, hath not now, and perhaps never may have any salt in it, can only be termed a possible salt box. What is a probable salt box?
Stud. It is a salt box in the hand of one going to a shop to buy salt, and who hath two pence in his pocket to pay the shopkeeper: and a positive salt box is one which hath actually and *bona fide* got salt in it.
Prof. Very good; what other division of salt boxes do you recollect?
Stud. They are divided into substantive and pendent. A substantive salt box is that which stands by itself on the table or dresser, and the pendent is that which hangs by a nail against the wall.
Prof. What is the idea of a salt box?
Stud. It is that image which the mind conceives of a salt box when no salt is present.
Prof. What is the abstract idea of a salt box?
Stud. It is the idea of a salt box abstracted from the idea of a box or of salt, or of a salt box or of a box of salt.
Prof. Very right: by this means you acquire a most perfect knowledge of a salt box: for tell me, is the idea of a salt box a salt idea?
Stud. Not unless the ideal box hath the idea of salt contained in it.
Prof. True; and therefore an abstract idea cannot be either salt or fresh: round or square, long or short; and then shows the difference between a salt idea and an idea of salt.—Is an aptitude to hold salt an essential or an accidental property of a salt box?
Stud. It is not essential, but if there should be a crack in the bottom of the box, the aptitude to spill salt would be rendered an essential property of that salt box.
Prof. Very well, very well, indeed. What is the salt called with respect to the box?
Stud. It is called its contents?
Prof. And why so?
Stud. Because the cork is content, *quoad hoc*, to find plenty of salt in the box.
Prof. You are very right.

SONNET.

On a youth who died of excessive eating Fruit Pie.

Currents have check'd the current of my blood,
And berries brought me to be buried here.
Pears have pair'd off my body's barnhood,
And plumbs and plumbs a-piece not one to spare.
Pain would I flie in my flit so fast a flee
Lessen my fate, yet 'tis a heavy load,
Gilt will not long hide guilt, such thin washed ware
Wants a quickly, and its ruke touch soon is rued.
Green fruit my grave some sentence grave and terse,
That lies not as it lies upon my clay
But, in a gentle strain of unstrain'd verse,
Prays all to pity a poor patty's prey.
Rehearse I was fruitful in my hearse,
Tells that my days are told, and soon I'm toll'd away.

GALVANISM.

The following experiments which are not attended with any circumstances that can wound the feelings of humanity, may be easily made to show the action of Voltaic electricity upon the body of living animals. We extract them from *Acum's Chemical Amusement.*

1. Place a living frog upon a plate of zinc wetted with water, and paste a slip of tinfoil, or a shilling, also wetted with water upon the back of the frog. If now a communication be formed between the zinc and the tinfoil, by means of a wire, or other piece of metal, the frog will be violently convulsed, and jump off the plate.

2. Take a live flounder, and put it on a pewter plate, or upon a large piece of zinc, wetted with water, and place a silver coin, also wetted with water, upon its back; or place the fish upon his back, and apply the coin to his cheek or breast: then touch the plate or zinc with a wire, and apply the other extremity of the wire to the piece of silver—violent contractions will be immediately excited in the fish, which may be renewed at pleasure by forming a connection between the two metals. The animal, therefore, lies quiet until a communication be made between the silver and the zinc, by means of a third metal to the edges of the others. The galvanic agency then takes place, because a galvanic circle is formed.

3. Besides these effects produced by the voltaic influence on the muscles, the sensations which it excites in some of the organs of sense, are easily evinced in the following manner:—

Place a thin piece of zinc upon the upper surface of the tongue, and half a crown, or a shilling, or a silver teaspoon on the under surface. The metals ought to be allowed to remain for a little time in contact with the tongue before they are made to touch each other, that the taste of the metals themselves may not be confounded with the sensation produced by their contact. When the edges which project beyond the tongue are then made to touch, a sensation is produced which it is difficult accurately to describe. It takes place suddenly, like a slight electrical shock, and a peculiar taste, somewhat resembling diluted nitric acid is perceived, confounded with an evident metallic taste.

The following sensible and ingenious letter, addressed to the editor of the *New Orleans Free Press*, accompanied by an encomium on the fair damsels of that city, will perhaps be read by most of our readers with particular pleasure, when it is considered that the author is a true friend to the ladies, and a native of the *Emerald Island*.

Dear Mister H'Arbinton

Aspered Sar—I am rote yew sumthin to dis on a swete subjec—cans we? cans to dis an Satterds, an de gals—*the ladies, i expose*: I had ought to say, wont hav nothin worth redin to more if i doesn't rite on sumthin sik *myself*—Wy, Albert, darn yewr clever old sole! there an sickest on gals a lordin in the same howse ware I are, an this does'nt never reed no other paper than yourn no how—an they says how its runs Mister R. Brown ing sails me Mistur! don't talk, says he, (and he's rite for it 'I'm an Irish lad,' yes dear ladies from New York, wot says tha can't afford to take no more papers—*an that are* am the reason wy tha don't only *need the Free Press*. But jist as soon as the darnashun critter sed that, I tuk side hair (I wreckles like the old dragon) and hove him rite on the flore, as if heven go airth was a comin toarther—thare! an Miss Sobiety Longton (from Connecticut,) says to me, rite off the reel, says she "Mistur Brown," says she, "now, Albert, i swan i don't want yew to lofly-"Mistur Brown," says she "yew is proved yewrself to be a gentleman a malicious enuffer, and as genie is ever an in favor"—there!

Now, my dear friend, I an't narthin but flesh and blud, an wen Sobiety (she's a tarral slick young critter o' 20) said that to me, I'll be blowed if it didn't make me crepe all over from the sole of my bed to the crown of my feet.—I'm gone shed with my varses. Yours,

NEBBY BROWN.

NEB BROWN'S VARSES, (four times!)
TO THE LADIES OF NEW ORLEANS.

I bands before yew, beauteous *creatures!*
I lors yewr shapes, and luvs yewr *textures*.
In minds and dispersions tew,
There ant no gals on airth like yew!
Perhaps yew asks, wy not tell how
I hav'nt made my call an bow?
Cans wy? wy cans, I've lately been
Imdoyed, I guess in whippen sam.
I flings the fire things on the lord-eaters,
An a smasing airdan dew is and cdawn
But he in war who fiercest am,
To yew ant nothin but a lomb!
How cheerful would I rites quit,
An never show no more my wit—
Stick by some fair one's side furever,
As Lovin fechanate an clever
As any pare of doves or swallues—
If she had twenty thousand dullers
If any of you wants to see
What kind o' bein that I bee—
I are—I takes no shame to tell her,
A pretty dare'd slick lookin fellur.
I've curly hare, an sparkin eyes
Wot sometimes laffs, an sometimes cries;
An sich a mouth—I sw'ip, between us,
Its all the world like Titan's Venus—
I'm tall an strait—this ant no hoax;
An grassful tew, to kill old foaks!
Oh! fairest Caroline, oh Kitty
Oh! Juliet—all three rich and pretty—
Wich of yew darlins e'er will frown
On yewr adores Nebby Brown?—
O take me Caroline—I'll slay
A dozen editors each day—
Receive me to yewr arms for pay,
I'll kill the Fare King for yewrs, Kitty—
Bless me for Juliet with yewr hand
I'll make yew famous thro' the land
By marrin up a scene of *actions*
Murdered each night (darsted malefactors!)
An have together in a pile
To make yewrs giv ting eyes to smile!
Dont be hardhearted to my call
An blame me but I'll have *yewll*
Them turnal Turks can love a hundred
Or else my carin Rags is blundered
He rit his travels and ——

O! Albert, Albert if i ant suddenly took with the cullar of asorbus—there ant no makes. I cum pin not another syllable, thar'i'm goin to buy some ice rite off—the easy that sen me good for the same—But spiease me to the ladies, but dont tell em i'm sick—cans wy! cans they wont be able to stand it no how—

Yours, evermore trew, N. BROWN.

P. X. I wish yew'd cum an see me—I lives about three rales from hear, up stairs at the widow Green's. N. B.

Handel.—The celebrated Handel being once in a country church, asked the organist to permit him to play the congregation out, to which he readily consented. Handel took his seat at the organ, and began to play in such a masterly manner, as instantly to attract the attention of the people, who instead of vacating their seats as usual, remained for a considerable space of time fixed in silent admiration. The organist began to be impatient, (perhaps his wife was waiting dinner,) and at length addressing the performer, told him that he was convinced that he could not play the people out, and advised him to relinquish the attempt; which done, a few harsh strains in the accustomed manner operated like the reading of the riot act, by instantly dispersing the audience.

Praise is like ambergris, a little whiff of it, and by snatches, is very agreeable, but when a man holds a whole lump of it to your nose, it is a stink, and strikes you down.

NATURAL HISTORY.

THE CONDOR OF AMERICA

Is universally allowed to be the largest of all the birds that are endowed with the power of flight, and it also possesses in the highest degree all the qalities that can render it formidable. The wings, when extended, reach eighteen feet from one extremity to the other. Its beak is so strong as to pierce the hide of any horned cattle; and it is said, that two of these birds are able to devour an ox. When stimulated by hunger, the condor does not hesitate to attack mankind; but, fortunately, there are not many of this species: if they were numerous, their depredations would be dreadful. The Indians assert, that this rapacious bird will carry off a deer or a calf, as an eagle does a hair or a lamb. M. de Condamine says, he has frequently seen them in the mountains parts of Quito, hovering over a flock of sheep; and he imagines that they would have attempted to carry some of them off, had they not been prevented by the shepherds. This bird is of a brown colour, with a white ruff round the neck, and on the head a brown comb, but not indented like that of a cock. Some naturalists have classed it among the vultures, because its neck and hair are bare of feathers; but in fierceness and courage, as well as in all its habits and disposition, it seems rather to resemble the eagle. The condor requiring a wide space for the expansion of its wings, seldoms frequents the forests, but chiefly resides in the mountains, whence it occasionally descends into the plains near the sea-shore, in search of supplies.

Whether this bird be peculiar to America, appears somewhat problematical. Some naturalists suppose that the great bird called the *rock*, described by Arabian writers, and so much exaggerated by fable, is a species of the condor. The great bird of Tarnopor, in the East-Indies, and the vulture of Senegal, which carries off children, are also thought to belong to this tribe.

The valley of Pachonnar, where this ferocious bird chiefly resides, is seldom frequented by travellers. It cannot indeed be expected that any one, unless compelled by urgent business, would venture to range those desolate wastes. It can scarcely be supposed, indeed, that mere curiosity would carry any person into those dreary regions, where broken precipices, forests swarming with panthers, and resounding with the hissing of serpents, and frowning mountains rendered more terrible by the condor, inspire a secret horror, and at every step seem to threaten destruction.

NOTICE.

WHEREAS by assignment, bearing date the 14th of March, 1839, Henry H. Porter, assigned all his Estate and effects to the subscriber, in trust for the benefit of such creditors, (amongst others) as shall make and execute a release within sixty days from and after the date of said assignment. Notice is hereby given to all persons indebted to the said Henry H. Porter, to make immediate payment to the subscriber, and creditors are invited to call at his Counting House, No. 27 Minor street, where the same is ready for execution.
march 12—6t SHELDON POTTER, Assignee.

Spring Goods.

BASETT & HANFAH respectfully inform their friends and the public generally, that they have taken the store lately occupied by Boggs & Bixby, at the corner of Market and Eighth streets, where they have opened a large and general assortment of Spring Goods, some of which are

Colored and white satins, ditillings.
Crepe lisse and Leno silks and printed cambrics.
Jeans, Marseilles, Valencia and silk waistings.
Superior Irish linens, long lawns, and linen cambrics.
Irish and Russia sheetings, damask table linens, &c.
Long cloth shirtings and sheetings.
Cambric and furniture dimities.
Mousseline de laines, &c.
Plain and new style prints.
Fine French painted muslins.
Plain and extra-ted figured French Ginghams.
Plain and stripe Alpacas.
Balmoral hosiery.
Gambric, muslin, thread & lisle do. silk do. thread do.
Plain and figured bobinets &c. &c.

It will afford them pleasure to have opportunities for exhibiting their stock of goods to those of their friends and of the public generally, who want articles in their line, and also to those who may not wish to make immediate purchases.

N. B. They wholesale and retail at the most reduced prices, for cash or approved acceptances. jan 7—tom

Barton's Rheumatic

Liniment for Rheumatism, Bruises, Sprains, Quinsy, &c.

THIS valuable Liniment has been offered more extensive cures in the Rheumatism, Quinsy, &c. than any medicine ever known for these complaints. It may indeed be considered as an infallible remedy, never having so far failed in a single instance, in the hands of the proprietor. Those who patronize will find it to their advantage to obtain a bottle and prove its virtues by trial.

For sale by Isaac Thompson, north west corner of Second and Market street; also by Peter Barton, No. 34 north Fifth street, sole agents for Philadelphia. march 17—3m*

Standard System of Mercantile Writing.

INSURING the following practical advantages—
1st. RAPIDITY of action and thorough command of the pen.
2nd. Writing plain, straight, and regular, without lines.
3rd. Acquiring a graceful variety of character, freedom of execution, and facility of attainment.

Those advantages being the unerring STANDARD of WRITING WELL, comment is unnecessary. Separate select Ladies' class at 11 o'clock. Children's admitted. For instruction apply to T. McLANAHAN,
Commercial School of Points 81 & 82 Arcade.
Science and Practice of BOOK-KEEPING, &c. as usual.
march 17—3t*

Marshall's Concentrated

Compound Syrup of Sarsaparilla, for the Cure of

OBSTINATE Eruptions of the Skin, Pimples or Pustules on the Face, which frequently leave an unsightly habit of Body, Scaly Eruptions, Pains in the Bones, Chronic Rheumatism, Tetter, Scrofula or King's Evil, White Swellings, Syphilitic Symptoms, and all disorders arising from an impure state of the blood, proceeding from the injudicious use of mercury, &c.

Price $1 per bottle. A liberal discount made to those who purchase to sell again.

Prepared and sold, only, at Charles Marshall's wholesale Drug and Chemical store, No. 8 Minor street, between Fulton and Eighth streets, south side. Also at his wholesale and retail store, No. 212, Market street, Philadelphia. feb 17—tf

India Rubber Shoes,

MANUFACTURED with Leather Soles, and lined with Flannel, and designed to wear next the stocking, similar to those exhibited at the Franklin Institute, constantly on hand, or manufactured to order
D. D. BREED,
dec 29—tf No. 8 North Fourth street.

James F. Calibreath,

No. 58 North Eighth Street, fifth door above Arch,

INFORMS his friends and the public, that he has on hand a complete assortment of LADIES', MISSES and CHILDREN'S BOOTS and SHOES, of various Cuts and Colors, all of which is guaranteed to be of the best materials, and made by the best workmen.

J. F. C. returns his thanks to his friends and customers for the very liberal patronage already received, and hopes, by strict attention to business, to merit a continuance of their favours.
march 10—6mos.*

Ribbons, &c.

C. M'KEARAHER will continue to open new goods during the Spring, which he will sell, wholesale and retail, at his RIBBON, SILK, and FANCY STORE, No. 27 north Second street, opposite Christ Church, and will be thankful for a call from his friends and customers. march 10—tf

Bottled Porter, Ale and Cider.

JOHN ROHLMAN, No. 18 Franklin Place, continues to bottle Porter, Ale and Cider, of the first quality, for home consumption and exportation. March 10—3m*

OFFICE

For the Purchase and Sale of Real Estate.

THE Subscriber respectfully informs his friends and the public that he has opened an office for the purchase and sale of Real Property, the settlement of Estates, and the procuring and placing out money on Mortgage.

Prompt and faithful attention shall be paid to the business intrusted to his care.

For particulars inquire at the office, No. 44 south Fifth street.
BENJAMIN TUCKER.

References. Wm. Rawle, counsellor at law, 180 Walnut st.; Robert Ralston, 3 south Fifteenth st.; Mathew Carey, 216 Walnut street; Dr. Joseph Parrish, 120 Arch street; Dr. John Mearis, 221 Arch street; J. Hemter, counsellor at law, at the Hall of the Franklin Institute. feb 18—7t*

Dyspepsia or Indigestion

Cured by Dr. T. J. Crossman, office 117 south Third street, directly opposite the Mansion House Hotel—Hours from 1 to 2, A. M. and from 1 to 2 P. M.

DR. T. J. CROSSMAN having once suffered with this unpleasant complaint, in its most aggravated form for almost five years, with the advantage of the most medical advice in this country, and all the most popular systematic writers of Europe, with an assiduous exhibition and application of their means as recommended, without the least permanent benefit; he thinks it a duty he owes to public, that he has discovered a remedy, a combination of remedies by which he was perfectly cured in a short time, and which has been attended with almost general success in the treatment of a great variety of cases. The difficulty that usually attends the cure of this formidable complaint, by the means recently used, is readily acknowledged by every candid physician; if not, the disease is aware of, and can corroborate the fact, especially if he has been a keen sufferer.

Dr. C. would inform the public, especially those who had long been subject to the diseases, and by taking a great variety of medicines without benefit, had become very sceptical with regard to the value of any.

"Thereby certify, that I was long troubled with a disease called dyspepsia, my symptoms were, a sense of fulness; heat or distension of the stomach; flutter of wind; pains in my right and left side and stomach; great despondency; dull head-ache; sickness in the mouth; cold feet, occasional chills; coated state of the tongue, sometimes diarrhœa, loss of appetite; great weakness, and general prostration. By a friend at New York I was recommended to Dr. Crossman. I submitted to his treatment with but little faith; but in my great astonishment and joy, I was shortly relieved and recovered my former good health, cheerfulness and vigor, perfectly.

New York, Oct. 19, 1831. JOHN S. CALDWELL."

Dr. Crossman would further inform, besides attending to all within the precincts of a physician, he takes one of nurse with unparalleled success in the treatment of diseases of the eye, especially all species of inflammation. march 3—6m

SCHOOL OF FLORA.

From the Medical Flora of the United States.

BY PROFESSOR RAFINESQUE.

LEONTODON TARAXACUM.

Names. Common Dandelion. *Fr.* Pissenlit commun. *Vulgar.* Puffball, &c.

Genus Leontodon. Perianthe, or common calyx double, both polyphylle, many ligular florets, pluriandre naked, pappus stipitate and plumose.

Description. It is a perennial plant, with the leaves all radical, smooth, oblong and acute, cut up on the sides in a runcinate form, sometimes almost pinnatifid, the divisions acute, toothed, unequal, like teeth of a large saw, sinuses acute, only one large mid rib; scapes or radical naked stems erect, from six to eighteen inches high, cylindrac, fistulose, smooth, milky when broken, bearing only one blossom, and growing in length while the blossom unfolds and decays. The two perianthes have lanceolate acute sepals, the outer ones shorter, lax, and spreading or reflexed, the inner one closely erect. Florets yellow, numerous, unequal, ligular, with five teeth; succeeded by black seeds, bearing a white stipitate plumos pappus, forming a spherical ball.

History. This well known plant is common to Europe, Asia, and America, in pastures and meadows; it is spread all over the United States, and is really a native, not introduced. It blossoms during the whole year in succession from April to October. Although deemed a weed, it is not injurious. It spreads very fast by its seeds borne to a great distance by winds. Children use the seed-balls for playthings, as they may be blown off at a single blast. The name of Dandelion derives from *dent de lion*, an old French name, meaning lion's tooth. The leaves were compared to lion's teeth by the Greeks and Romans. It affords many varieties: 1. *Erraticum*. 2. *Sinuatum*. 3. *Lanceolatum*. 4. *Polyphyllum*. 5. *Uniflorum*. 6. *Longifolium*, &c.

Properties. Deobstruent, diuretic, hepatic, subtonic, corroborant, aperient, &c. The taste is slightly bitter, but not unpleasant; the leaves and root may be used. They contain a green resin, fecula, sugar, nitrate of potash and of lime, acetate of lime, &c. An excellent popular remedy for liver complaints, obstructions, jaundice, dropsy, hypochondria, &c. The most usual way is to eat the leaves in salad in the spring; they may be bleached like Endive, and in the same way.—The juice of the leaves is also used, and their extract is very efficient. It promotes all the secretions, and removes obstructions of the viscera and glands. It is an excellent diet for scrofulous, dropsical, and hypochondrical patients. It has been used in induration of the liver, gravel, itch, impetigines, dyspepsia, and consumption. In this last, it acts only as a mild deobstruent. It is very good for the spleen. The milky juice of the stems removes freckles of the skin.

To Shorten a Tube or Vessel.—When the object to be cut has a large diameter and very thin sides, (when it is such a vessel as a drinking glass, a cup or a small tube,) you may divide it with much neatness by proceeding as follows.—After having well cleansed the vessel, both within and without, pour oil into it till it rises to the point, or nearly to the point, where you wish to cut, place the vessel so prepared in an airy situation; then take a rod of iron, of about an inch in diameter, make the extremity brightly red hot, and plunge it into the vessel until the extremity of the iron is half an inch below the surface of the oil; there is immediately formed a quantity of very hot oil, which collects in a thin stratum at the surface of the cold oil, and forms a circular crack where it touches the glass in a horizontal position, and to plunge the hot iron without communicating much agitation to the oil, the parts so separated will be as neat and uniform as you could desire them to be. By this method we have always perfectly succeeded in cutting very regular zones from ordinary glass—*The Art of Glass Blowing.*

NOTICE.

WHEREAS by assignment, bearing date the 14th of March, 1839, Henry H. Porter, assigned all his Estate and effects to the subscriber, in trust for the benefit of such creditors, (amongst others) as shall make and execute a release within sixty days from and after the date of said assignment. Notice is hereby given to all persons indebted to the said Henry H. Porter, to make immediate payment to the subscriber, and creditors are invited to call at his Counting House, No. 27 Minor street, where the same is ready for execution.
march 12—6t SHELDON POTTER, Assignee.

Spring Goods.

BASETT & HANFAH respectfully inform their friends and the public generally, that they have taken the store lately occupied by Boggs & Bixby, at the corner of Market and Eighth streets, where they have opened a large and general assortment of Spring Goods, some of which are

Colored and white satins, ditillings.
Crepe lisse and Leno silks and printed cambrics.
Jeans, Marseilles, Valencia and silk waistings.
Superior Irish linens, long lawns, and linen cambrics.
Irish and Russia sheetings, damask table linens, &c.
Long cloth shirtings and sheetings.
Cambric and furniture dimities.
Mousseline de laines, &c.
Plain and new style prints.
Fine French painted muslins.
Plain and extra-ted figured French Ginghams.
Plain and stripe Alpacas.
Balmoral hosiery.
Gambric, muslin, thread & lisle do. silk do. thread do.
Plain and figured bobinets &c. &c.

It will afford them pleasure to have opportunities for exhibiting their stock of goods to those of their friends and of the public generally, who want articles in their line, and also to those who may not wish to make immediate purchases.

N. B. They wholesale and retail at the most reduced prices, for cash or approved acceptances. jan 7—tom

Barton's Rheumatic

Liniment for Rheumatism, Bruises, Sprains, Quinsy, &c.

THIS valuable Liniment has been offered more extensive cures in the Rheumatism, Quinsy, &c. than any medicine ever known for these complaints. It may indeed be considered as an infallible remedy, never having so far failed in a single instance, in the hands of the proprietor. Those who patronize will find it to their advantage to obtain a bottle and prove its virtues by trial.

For sale by Isaac Thompson, north west corner of Second and Market street; also by Peter Barton, No. 34 north Fifth street, sole agents for Philadelphia. feb 18—7t*

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M. Chabert's Tapuyas Elixir,

AN instantaneous cure for the Tooth ache, which he will, at the greatest confidence, offer to the public, having, (before he took this opportunity of making it publicly known) for the last two years, relieved thousands from the most excruciating pains of that terrible complaint, some of which follow:—

To Mons. Chabert,—This is to certify that we have used your Tapuyas Elixir on several of our patients, and it has always made a certain cure; we found it not to injure the other teeth in any degree, and have not the least doubt that it preserves the gums. It is the best specific of the kind we have ever found to answer so well. It is therefore a valuable discovery for such excruciating pain. We give you credit for such a valuable discovery, with ease to use our names in support of its efficacy; if it can be of any benefit to you.

London, 25th March, 1831.

B. S. Cooper, Member Royal College of Surgeons, 22 Berwick st. Soho. G. Williams, Member Royal College of Surgeons, Clayton Place, Kingston, Surrey. J. Bird, Surgeon, 45 Dover Road. J. Wilson, Member Royal College of Surgeons. H. Harvey, Member Royal College of Surgeons, &c. St. Peters. J. Cooper, Member Royal College of Surgeons, &c. 42 Great Windmill street, Haymarket. Thomas Robert Groves. John Law. 6 George street, Hanover Road.

New York, Dec. 5th, 1831.

To Mons. Chabert, Sir,—In answer to your note of this morning requesting the result of my observations of the effects of your Tapuyas Elixir, I have the pleasure to state, that I have witnessed its application to the cases of severe tooth ache, in all of which the relief was instantaneous, and for aught I know the cure permanent, and therefore have no hesitation in recommending it for general use.

Respectfully, your obed't serv't, W. ANDERSON, M.D.

N. B. Chabert's immense number of certificates from patients received, in this country as well as in Europe. The demand for the Elixir at present being so great, it is found difficult to supply agents and others with but limited quantities, arrangements however are making, that all can be supplied with such quantities as they may wish.

N. C. respectfully informs the public, that he has appointed the subscriber, Sole Agent for the United States, with power to appoint new agents, who will always have a large and sufficient quantity of the Elixir, to supply the agents appointed, and those to be appointed, druggists, country merchants and others at wholesale prices. Letters and orders directed to him just paid and post paid will receive attention.

☞ None to genuine but that which has X. Chabert moulded on the bottle, and on the wrapper, X. C. & J. C. Price 50 cents per bottle. 25 per cent. allowed for cash on any quant